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INDUSTRIAL GAZETTE

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CROWN EMPLOYEES (RESOURCE NSW) AWARD 2005

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 683 of 2005)

Before The Honourable Deputy President Harrison

9 August 2005

REVIEWED AWARD**PART A****Arrangement**

PART A

Clause No. Subject Matter

1. Definitions
2. Parties
3. Salary System
4. Transition Arrangements
5. Working Hours and Arrangements
6. Overtime
7. Easter Half Day
8. Excess Travelling Time
9. Annual Leave Loading
10. Delegates Rights and Obligations
11. Industrial Grievance Procedure
12. Anti-Discrimination Clause
13. Area, Incidence and Duration

PART B

MONETARY RATES

Table 1 - Salaries

1. Definitions

- 1.1 "Class" means a Class listed in Clause 3, Salary System of this Award.
- 1.2 "Chief Executive" means the Chief Executive of Resource NSW.
- 1.3 "RNSW" means Resource NSW.
- 1.4 "Officer" means an employee of Resource NSW employed under Chapter 2 of the *Public Sector Employment and Management Act 2002* other than those employed as Public Sector Executives.
- 1.5 "Reporting Officer" means an Officer who has direct supervisory responsibility for a staff member, for performance management and reporting purposes.
- 1.6 "Salary Point" means a salary nominated within a Class.

- 1.7 "Union" means the Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales or the Association of Professional Engineers, Scientists and Managers Australia (NSW Branch), having regard to their respective coverage.

2. Parties

The parties to this Award are:

The Public Employment Office;

Resource NSW;

The Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales; and

The Association of Professional Engineers, Scientists and Managers, Australia (NSW Branch).

3. Salary System

- 3.1 The rates of pay for Officers of Resource NSW will be in accordance with the monetary rates contained in Part B, Table 1.
- 3.2 Each Officer will be classified as a Resource Officer and qualifications required for appointment to a position will be determined by the Chief Executive having regard to the duties of the position.
- 3.3 The level of appointment to a salary point within a Class will be determined by the Chief Executive or nominee, following assessment of an applicant's past work experience in a related field and/or relevant skill levels and/or educational qualifications. Where an Officer is promoted to a higher Class, they will move to the minimum salary point of the higher Class, or at least one salary point above their current substantive salary, whichever is the higher.
- 3.4 Applicants who are appointed as a Resource Officer within Resource NSW and who possess the Higher School Certificate or equivalent will be appointed to no less than salary point 2 of Class 1.
- 3.5 Any Resource Officer aged 21 years or over shall be paid no less than the salary prescribed for salary point 4 of Class 1.
- 3.6 Movement from one salary point to another within a Class will be on an annual basis, subject to satisfactory conduct and performance of duties.
- 3.7 Movement from Class to Class will be by way of appointment through merit selection to a vacancy.
- 3.8 The rates of pay in this award reflect the salary increases prescribed in the Crown Employees (Public Sector - Salaries 2004) Award.

4. Transition Arrangements

- 4.1 Staff transferred from former Waste Boards shall be initially transferred to the classification of Resource Officer in accordance with the agreed placement policy.
- 4.2 Where a staff member submits to the Chief Executive that they may have been disadvantaged by the transitional arrangements in the agreed placement policy, their individual circumstances will be assessed on a case by case basis and consideration will be given to previous remuneration and/or entitlements.

5. Working Hours and Arrangements

- 5.1 Ordinary Working Hours

Full-time ordinary working hours shall be 35 hours per week, Monday to Friday.

5.2 Bandwidth

Bandwidth is the period during the day when staff may record time worked.

5.3 Standard Bandwidth

The Standard Bandwidth is 10.5 hours commencing at 7.30 am and ceasing at 6.00 pm. The maximum number of hours that can be recorded as being worked under this bandwidth is 10 hours (10.5 hours less a 0.5 hour lunch break). This will be the bandwidth that an Officer of Resource NSW operates under unless their bandwidth is varied as per sub-clause 5.4.

5.4 Variable Bandwidth

The Standard Bandwidth hours may be varied at an Officer's request and with prior approval, to start as early as 5.30 am or finish as late as 8.00 pm, provided that changing the bandwidth does not of itself incur additional overtime, meal money payments or travelling compensation claims.

The maximum number of hours Officers may record as being worked in a day remains at 10 hours (10.5 hours less a 0.5 hour lunch break). Under these arrangements the earliest possible bandwidth for an Officer will be 5.30 am to 4.00 pm and the latest possible bandwidth will be 9.30 am to 8.00 pm.

5.5 Coretime

Coretime is the specified period during the day when staff are required to be on duty, unless on authorised leave.

5.6 Standard Coretime

The Standard Coretime hours for Resource NSW will be 9.30 am to 3.30 pm. The maximum meal break which can be taken by an Officer during Standard Coretime is 2.5 hours (as per clause 5.8.1), such that the minimum an Officer must work during Coretime, exclusive of a meal break, is 3.5 hours. These Coretime arrangements will apply to an Officer of Resource NSW unless they vary their Coretime as per sub-clause 5.7.

5.7 Variable Coretime

5.7.1 Where an Officer proposes to vary their Coretime (ie they do not wish to work the Standard Coretime), they must seek the prior approval of their Reporting Officer. Variation of Coretime will not be agreed by the Reporting Officer if he/she considers that the proposed arrangement will result in withdrawal of service or impediment to work area operations.

5.7.2 An Officer may vary his/her Coretime such that they work a minimum of 3.5 hours between the hours of 8.30 am and 5.00 pm. Wherever possible, the Officer should work at least 3.5 hours continuously during that period, ie without a meal break (see sub clause 5.8.2 for meal break requirements). The proposed hours to be worked under such an arrangement are to be clearly defined at the time approval is sought.

5.7.3 If an Officer commences duty after the commencement of their agreed Coretime hours, or ceases duty prior to the cessation of their agreed Coretime without prior approval (ie is not on approved leave), the Officer will have the appropriate amount of recreation leave debited, from their Recreation Leave balance, in multiples of a quarter-day.

5.8 Meal Breaks

5.8.1 An Officer on the Standard Bandwidth and Coretime is entitled to take a meal break between the hours of 11.30 am and 2.30 pm. The minimum meal break is 30 minutes and the maximum is 2.5 hours.

5.8.2 An Officer working a Variable Bandwidth and/or Coretime may take their meal break at a time agreed between the Officer and their Reporting Officer. The minimum meal break is 30 minutes and the maximum is 2.5 hours. An Officer shall not be required to be on duty for more than 5 hours from the time of commencement without a meal break.

5.9 Flex Days

5.9.1 Ordinary Flex Day

An Officer may take one 'Ordinary' Flex Day per settlement period (as described in Clause 20 of the Crown Employees (Public Service Conditions of Employment) Award 2002).

5.9.2 Ordinary Flex Day Accrual

Where organisational requirements prevent the Officer taking their Ordinary Flex Day during a settlement period, or where it is at the request of the Officer and the Reporting Officer agrees, that flex day may be accrued at the end of the settlement period provided that the Officer's balance does not fall below a debit of 10 hours.

5.9.3 Second Flex Day

An Officer who has taken their Ordinary Flex Day in a settlement period may, in addition, accrue a second flex day (or ½ Flex day) at the end of the settlement period if they have a balance of at least 7 hours credit (after deducting contract hours).

5.9.4 Accrued Flex Days

- (a) Only one Flex Day (either the Ordinary Flex Day or the Second Flex Day) may be accrued and carried over from any settlement period.
- (b) An Officer may accumulate up to 4 Accrued Flex Days, which shall be taken at a mutually convenient time.
- (c) An Officer may take their Accrued Flex Days in combination with an Ordinary Flex Day. A maximum of 5 consecutive working days may be taken by this arrangement.

5.9.5 Where an Officer combines Accrued Flex days with the accrual of Time Off In Lieu of Excess Travelling time as set out in Clause 8, the maximum number of flex days that can be accrued may not exceed four days at any time.

6. Overtime

6.1 An Officer will be eligible for Overtime where:

- (a) They are directed to work before or after their agreed bandwidth; or
- (b) They are directed to work beyond 7 hours (excluding a meal break) on a particular day.

6.2 The Overtime Barrier (i.e. the maximum rate that will be paid to any Officer required to work Overtime) will be Class 8 Salary Point 4 as set out in Part B, Monetary Rates.

6.3 An officer may refuse to work overtime in circumstances where the working of such overtime would result in the officer working hours which are unreasonable.

6.4 For the purposes of paragraph 6.3 what is unreasonable or otherwise will be determined having regard to:

- 6.4.1 any risk to officer health and safety;

- 6.4.2 the officer's personal circumstances including any family and carer responsibilities;
- 6.4.3 the needs of the workplace or enterprise;
- 6.4.4 the notice (if any) given by Resource NSW of the overtime and by the officer of his or her intention to refuse it; and
- 6.4.5 any other relevant matter.

7. Easter Half Day

- 7.1 Notwithstanding the provisions of the Crown Employees (Public Service Conditions of Employment) Award 2002, Clause 20, Officers will be granted an additional 3.5 hours flex leave during the Easter Flex period which may be taken on the day immediately prior to, or following Easter i.e. "Easter Half Day".
- 7.2 Subject to organisational convenience, an Officer may use other accumulated leave in combination with the 3.5 hours additional flex leave contained in sub-clause 7.1 above, in order to take the whole day off, however there is no automatic entitlement to this.
- 7.3 Where, in order to ensure an adequate service to clients, an Officer is directed to work the days prior to and after Easter, the Officer shall be able to take the additional 3.5 hours flex leave within one month of Easter Sunday.

8. Excess Travelling Time

- 8.1 Time spent travelling, as defined under the Crown Employees (Public Service Conditions of Employment) Award 2002 Clause 25: before the agreed bandwidth commences, and up to 1 hour thereafter, and from one hour prior to the end of the agreed bandwidth, shall be able to be claimed as "Travelling Time". Provided that Travelling time shall not include any period of travel between 11.00 pm on any one day and the start of the Officer's bandwidth on the following day where the Officer has travelled overnight and sleeping facilities have been provided for the Officer.
- 8.2 Where organisational requirements prevent an Officer taking Time Off In Lieu of Excess Travelling Time within the time frame allowed under the Crown Employees (Public Service Conditions of Employment) Award 2002 or where it is at the request of the Officer and their Reporting Officer agrees, this time may be accumulated such that: it may be accrued in minimum ½ day amounts up to 4 days, or added to the officer's Accrued Flex Days under Clause 5.9.4 to be taken at a mutually convenient time. Where Time Off In Lieu of Excess Travelling time is added to the Officer's Accrued flex days, the maximum balance of Accrued flex days will not exceed four days at any time.

9. Annual Leave Loading

An Officer who is eligible for leave loading, may elect to:

- 9.1 be paid their leave loading when they take sufficient leave (ie Recreation leave and/or Extended leave together with Flex days and/or public holidays totalling 10 or more week days); OR
- 9.2 defer their payment until the end of the relevant leave year, ie 30 November. Wherever possible, payment will be made on the first pay day after 30 November.

10. Delegates Rights and Obligations

- 10.1 An Officer elected as a Union delegate will, upon written notification by the Union to Resource NSW, be recognised as the accredited representative of that Union, and will be allowed all reasonable time during working hours to attend to Union business and to consult with management on matters affecting the Officers they represent. Such consultations should be arranged for times that are convenient to both parties.

- 10.2 Delegates will inform their Reporting Officer of the need to absent themselves from their workplace, and will arrange a mutually acceptable time to attend to their Union duties.
- 10.3 Accredited delegates should recognise the need to balance their absence from the job on Union business with the requirements for acceptable work performance.
- 10.4 Resource NSW will provide access to the facilities and office equipment needed by delegates to perform their Union function effectively, thus maximising the mutual advantages of a consultative approach.

11. Industrial Grievance Procedure

11.1 General

- 11.1.1 The aim of this procedure is to ensure that, during the life of this Award, industrial grievances, (including grievances within the meaning of the *Anti-Discrimination Act 1977*) or disputes are prevented or resolved as quickly as possible at the level they occur in the workplace.
- 11.1.2 The parties agree that whilst the procedures contained in this Clause are being followed, there is an expectation that normal work will continue.
- 11.1.3 In seeking a resolution to any industrial dispute or industrial grievance, Resource NSW may be represented by an industrial organisation of employers, and the Officers of Resource NSW may be represented by an industrial organisation of employees.

11.2 Steps to Resolve Industrial Grievances or Disputes:

When a dispute or grievance arises, or is considered likely to occur, the following steps are to be followed:

Step 1:

The matter is discussed between the Officer(s) and the Reporting Officer concerned and addressed within one week. The Officer(s) concerned may discuss the matter with the Union delegate, if so desired. 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 Officer(s) to advise the Reporting Officer the notification may occur to the next appropriate level of management, including where required, to the Chief Executive or delegate.

Step 2:

If, after a week since the matter was discussed with the Union delegate and the Reporting Officer the matter remains unresolved, the Officer(s) concerned may discuss the matter with the Union delegate and the Branch Director. If the matter remains unresolved follow Step 3.

Step 3:

If, after a week since the matter was discussed with the Union delegate and the Branch Director, the matter is still unresolved, the Officer(s) concerned may discuss the matter with the Branch Director, a representative of the Corporate Support Branch and a Union delegate and/or official. Where it is agreed by the parties, and the matter is of an urgent nature, the Officer may go to Step 3 immediately. In the event that the parties agree to go to Step 3 immediately, no more than a week should elapse since the matter was first raised until Step 4 is followed.

Step 4:

The matter is discussed between senior representatives of Resource NSW and the relevant Union. The parties agree to exhaust the process of conciliation before considering Step 5 below. It is agreed that the parties will not deliberately frustrate or delay these procedures. All efforts are to be made to resolve the matter promptly. The conciliation process should take no longer than one month, unless the parties agree to a longer period.

Step 5:

If no resolution is found, the matter may be referred to the Industrial Registrar in order for the Industrial Relations Commission or Industrial Court to exercise their functions under the *Industrial Relations Act, 1996*.

12. Anti-Discrimination

- 12.1 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.
- 12.2 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.
- 12.3 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.
- 12.4 Nothing in this clause is to be taken to affect:
- (a) any conduct or act which is specifically exempted from anti-discrimination legislation;
 - (b) offering or providing junior rates of pay to persons under 21 years of age;
 - (c) any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
 - (d) a party to this award from pursuing matters of unlawful discrimination in any State or federal jurisdiction.
- 12.5 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.
- 12.6 Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- 12.7 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."

13. Area, Incidence and Duration

- 13.1 This Award shall apply to all Officers of Resource NSW.
- 13.2 The Crown Employees (Public Service Conditions of Employment) Award 2002 applies to all Officers of Resource NSW, except in relation to specific 'local arrangements' allowed under Clause 10 of that Award, and included in the Resource NSW Award. This award is made following a review under section 19 of the *Industrial Relations Act 1996* and rescinds and replaces the Crown Employees (Resources NSW) Award 2002, published 9 August 2002 (335 IG 875) and all variations thereof.
- 13.3 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 IG 359) take effect on and from 9 August 2005.

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

PART B

MONETARY RATES

Salary Point (\$ Per Annum).

Classification and Grades	1.7.03	1.7.04	1.7.05	1.7.06
	Per annum \$	Per annum +4% \$	Per annum +4% \$	Per annum +4% \$
Class 1	23,350	24,284	25,255	26,265
	28,210	29,338	30,512	31,732
	30,962	32,200	33,488	34,828
	32,855	34,169	35,536	36,957
	34,310	35,682	37,109	38,593
	36,180	37,627	39,132	40,697
	39,980	41,579	43,242	44,972
Class 2	39,980	41,579	43,242	44,972
	41,153	42,799	44,511	46,291
	42,245	43,935	45,692	47,520
	43,823	45,576	47,399	49,295
Class 3	42,245	43,935	45,692	47,520
	43,823	45,576	47,399	49,295
	46,016	47,857	49,771	51,762
	47,401	49,297	51,269	53,320
Class 4	46,016	47,857	49,771	51,762
	47,401	49,297	51,269	53,320
	49,369	51,344	53,398	55,534
	51,309	53,361	55,495	57,715
Class 5	49,369	51,344	53,398	55,534
	51,309	53,361	55,495	57,715
	53,267	55,398	57,614	59,919
	54,908	57,104	59,388	61,764
Class 6	53,267	55,398	57,614	59,919
	54,908	57,104	59,388	61,764
	57,042	59,324	61,697	64,165
	58,778	61,129	63,574	66,117
Class 7	57,042	59,324	61,697	64,165
	58,778	61,129	63,574	66,117
	60,556	62,978	65,497	68,117
	63,026	65,547	68,169	70,896
Class 8	60,556	62,978	65,497	68,117
	63,026	65,547	68,169	70,896
	65,001	67,601	70,305	73,117
	68,317	71,050	73,892	76,848
Class 9	65,001	67,601	70,305	73,117
	68,317	71,050	73,892	76,848
	70,283	73,094	76,018	79,059
	72,412	75,308	78,320	81,453
Class 10	70,283	73,094	76,018	79,059
	72,412	75,308	78,320	81,453
	75,299	78,311	81,443	84,701
	77,507	80,607	83,831	87,184

Class 11	75,299	78,311	81,443	84,701
	77,507	80,607	83,831	87,184
	79,827	83,020	86,341	89,795
	82,986	86,305	89,757	93,347
Class 12	79,827	83,020	86,341	89,795
	82,986	86,305	89,757	93,347
	85,768	89,199	92,767	96,478
	87,610	91,114	94,759	98,549
Class 13	85,768	89,199	92,767	96,478
	87,610	91,114	94,759	98,549
	90,516	94,137	97,902	101,818
	91,869	95,544	99,366	103,341
Class 14	90,516	94,137	97,902	101,818
	91,869	95,544	99,366	103,341
	96,125	99,970	103,969	108,128
	100,383	104,398	108,574	112,917

R. W. HARRISON *D.P.*

Printed by the authority of the Industrial Registrar.

(1598)

SERIAL C3455

**SKILLED TRADES STAFF - DEPARTMENT OF AGEING,
DISABILITY AND HOME CARE (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 4573 of 2004)

Before The Honourable Mr Deputy President Harrison

6 December 2004

REVIEWED AWARD

PART A

1. Arrangement

PART A

1. Arrangement
2. Definitions
3. Interaction with Other Instruments
4. Hours of Work
5. Classification Structure
6. Roll-Up of Allowances
7. Boiler Attendant Allowance
8. Thermostatic Mixing Valve Allowance
9. Dispute Resolution Procedure
10. Union Subscriptions
11. Wages and Allowances
12. Work at Alternative Worksite
13. Area, Incidence and Duration
14. Leave Reserved
15. No Extra Claims

PART B

Schedules of Rates of Wages and Allowances

Annexure 1 - Memorandum of Understanding between the Parties

2. Definitions

In this award:

"Department" means the New South Wales Department of Ageing, Disability and Home Care (DAD&HC)

"Union/s" means:

Construction Forestry Mining Energy Union (CFMEU) General and Construction Division, New South Wales Branch; and/or

Electrical Trades Union of Australia, New South Wales Branch; and/or

Plumbers and Gasfitters Employees Union, New South Wales Branch; and/or

AMWU (NSW registration as Automotive, Food, Metal, Engineering, Printing and Kindred Industries Union) (AFMEPKIU)

3. Interaction with Other Instruments

All employee conditions not specified in this award will be in accordance with the Crown Employees Skilled Trades Award, the *Public Sector Employment and Management Act 2002* and Public Sector Management (General) Regulation 1996. To the extent of any inconsistency between the provisions of this award and those other instruments named above, the provisions of this award will apply.

4. Hours of Work

- (i) Local Departmental management and trades staff at each work site may negotiate specific ordinary hours of duty. Any such site agreement will be subject to the following conditions:
 - (a) an average of 38 hours per week worked over a four-week period;
 - (b) optimal staffing levels being maintained at all times to perform required duties;
 - (c) no additional expense such as payment of overtime or employment of casuals;
 - (d) where a nine-day fortnight is negotiated, arrangements are to be at the Department's convenience;
 - (e) if sick leave is taken on the working day prior to or following a rostered day off, a doctor's certificate must be provided; and
 - (f) alterations in start and finish times are to be implemented by agreement.
- (ii) The parties agree to commence negotiations on any proposed variation to existing hours of work within six weeks of the proposal being received from nominated representatives.
- (iii) An employee may be directed by Departmental management to work overtime, provided it is reasonable for the employee to be required to do so. In determining what is reasonable, the employee's prior commitments outside the workplace, particularly their family responsibilities, community obligations or study arrangements, shall be taken into account. Consideration shall be given also to the urgency of the work required to be performed during overtime, the impact on the operational commitments of the organisation and the effect on client services.

5. Classification Structure

- (i) Pay levels as a percentage of base pay rates are:

Title	% of Relevant Base Rate
Level 1 Tradesperson	100%
Level 2 Tradesperson	105%
Level 3 Tradesperson (Trades Co-ordinator and Trades Specialist)	110%
Level 4 Tradesperson (Trades Specialist Advanced)	115%

- (ii) Definitions of the levels are as follows:

- (a) Level 1 Tradesperson (100%)

Level 1 is applicable to a Tradesperson who:

- (1) has completed an apprenticeship, licence or equivalent; and
- (2) can work to the skills level of their training within their trade; and

- (3) is able to be responsible for the quality of his/her work.

A Tradesperson at this level may be required to work with other Tradespersons from other trades and supervise or train Apprentices on the job. Staff at this level will have demonstrated a capacity and commitment to implement EEO policies and OH&S standards.

(b) Level 2 Tradesperson (105%)

Level 2 is a more advanced trades level applicable to a Tradesperson who:

- (1) carries out tasks competently and has demonstrated a record of successful performance at Level 1 over a period of no less than 12 months; and
- (2) has been successful in applying for a Level 2 position; and
- (3) is able to perform work in one or more areas of work, enabling work to be carried out over a range of tasks, i.e. performing in the trade and in tasks peripheral to the trade, equivalent to competencies requiring 120 hours of training; or
- (4) has completed 120 hours of approved courses and is regularly required to use the skills and knowledge acquired in such courses; and
- (5) has demonstrated confidence and adaptability with respect to the special needs of clients; and
- (6) has demonstrated knowledge of the Department's functions and roles and knowledge of the NSW *Disability Services Act* 1993 and Policies for Working with People with Disabilities; and
- (7) communicates excellently with colleagues, clients and customers.

A Tradesperson at this level may be required on occasions to carry out cross-skilled work and multi-skilled functions. Staff at this level will have demonstrated a capacity and commitment to implement EEO policies and OH&S standards.

(c) Level 3 Trades Co-ordinator or Trades Specialist (110%)

A Trades Specialist can operate independently, efficiently and productively at an advanced level in his/her specialised field with a minimum of supervision. Level 3 is a more advanced trades level applicable to a Tradesperson who:

- (1) has been successful in applying for a Level 3 position; and
- (2) has demonstrated advanced skills in a particular trade (to be known as a "Trades Specialist"); and
- (3) either has the capacity to perform complex tasks in a specified area, indicating advanced skills in a particular trade equivalent to competencies requiring 240 hours of training, or has advanced skills equivalent to 240 hours of approved courses and is regularly required to use the skills and knowledge acquired in the training; and
- (4) has shown a capacity to be able to anticipate technical problems, develop solutions to technical problems and write reports on technical issues; and
- (5) is required to provide trade advice and contractor supervision.

Staff at this level will have demonstrated a capacity and commitment to implement EEO policies and OH&S standards.

(d) Level 4 Trades Specialist Advanced (115%)

The Trades Specialist Advanced is similar to the relevant Level 3 position but requires advanced skills equivalent to 360 hours of approved courses, being regularly required to use the skills and knowledge acquired in such courses. Staff at this level will have demonstrated a capacity and commitment to implement EEO policies and OH&S standards.

- (iii) Leading Hand Allowances will be maintained and paid in addition to any wage rates applicable in the above structure.
- (iv) Determination of positions and levels according to the above classification structure will be made by the Department at each location and employees may apply for appointment to any created position. Appointment to positions will be in terms of the merit selection process among employees who hold relevant qualifications for each position.
- (v) Any dispute in the creation or filling of any position will be dealt with in the first instance by a committee established at each work location. This committee will comprise of at least two Departmental and two Union representatives. Should the committee fail to resolve any dispute, the matter is to be processed in accordance with the dispute settlement procedures.

6. Roll-Up of Allowances

Environmental Allowance (Mental Institutions Allowance) and Annual Leave Loading are already rolled up into the base wage.

Base wage rates were increased by \$30.00 per week to incorporate the equivalent of the Mental Institutions Allowance and were wages increased by 1.35% to reflect the Annual Leave Loading on 1 February 1998.

7. Boiler Attendant Allowance

An officer being the possessor of a Boiler Attendant's Certificate who is required to supervise or operate a boiler shall for each week he/she is so required shall be paid in addition to the rates prescribed an amount per instance as specified in Part B of this award.

8. Thermostatic Mixing Valve Allowance

An officer who is a licensed plumber and holds a Thermostatic Mixing Valve Certificate issued by a College of Technical and Further Education and is required to act upon such certificate shall be paid an allowance at a weekly rate as specified in Part B of this award.

9. Dispute Resolution Procedures

- (i) The aim of the procedure is to ensure that industrial grievances or disputes are prevented, or resolved as quickly as possible, at the level they occur in the workplace. For the purposes of this procedure, industrial grievances or disputes are distinguished from grievances dealt with under public service grievance-handling procedure, e.g. complaints of discrimination.
- (ii) When a dispute or grievance arises, or is considered likely to occur, the following steps are to be followed:
- (a) where a dispute arises at a particular work location, discussions shall be held between the officer/s concerned and the immediate supervising officer;
- (b) failing resolution of the issues at that level, further discussions shall take place between the employee, the relevant local delegate or employee representative and the supervising officer or manager;
- (c) if the dispute remains unresolved, the local delegate shall refer the matter to the Union official who will confer with the Area Manager or General Manager; and

- (d) if the dispute is not resolved at that stage, the matter is to be referred to the Assistant Director, Industrial Relations or senior industrial relations officer who will assume responsibility for liaising with Senior Executive members of the Department and advise of their final position.
- (iii) If the matter remains unresolved following the above process, it may be referred by either party to the Industrial Registrar.
- (iv) Whilst these procedures are taking place, no ban, limitation or stoppage of work shall take place.
- (v) In cases where a dispute is premised on an issue of safety and is unable to be resolved at the Area/Divisional level, the matter should be referred to the Assistant Director, Industrial Relations or senior industrial relations officer for further consultation with the Union/s.

10. Union Subscriptions

The Department agrees to automatically deduct Union dues on behalf of Unions as defined from the pay of Union members once authorised by the employee.

11. Wages and Allowances

Wages and allowances are shown in Part B of this award.

12. Work at Alternative Worksite

- (i) **General**
 - (a) The terms of this clause replace clause 8, Excess Fares and Travelling, of the Crown Employees Skilled Trades Award.
 - (b) This clause does not apply where an employee is recalled to duty after leaving work, in which case the call-back provisions of the Crown Employees Skilled Trades Staff Award apply.
 - (c) For the purposes of this clause, a reference to a "worksite" means each individual sub-site of MetWest Residences and Hunters Residences, including but not limited to Rydalmere, Marsden, Lachlan, Stockton, Kanangra, Morriset and Marsden Rehabilitation Centre (MRC).
- (ii) **Mobility Allowance and Excess Travelling Time**

Where an employee is required to travel to an alternative worksite and has not been temporarily transferred to that site pursuant to subclause (v) of this clause:

- (a) An employee is to be paid a Mobility Allowance at the rate indicated in Part B of this award per day (\$5.80) where required by the Department to travel to an alternative worksite in circumstances where no notice of the requirement to do so was provided prior to leaving work the previous day. Such Mobility Allowance will be payable regardless of whether the required travel is undertaken within or outside of ordinary working hours and regardless of the transportation arrangements utilised to attend the alternative worksite.
- (b) Notice of a regular requirement to travel to an alternative worksite can be given to the employee once. Such notice must be written and include advice as to the days of the week/fortnight/month, etc., that the travel will be required. Notice given pursuant to this paragraph also serves as notice "prior to leaving work the previous day" referred to in paragraph (a) of this subclause.
- (c) Where an employee is required to commence his/her ordinary hours at an alternative worksite, he/she is to be paid at ordinary rates for any travelling time in excess of that time usually taken to travel to and from their home and usual worksite. The payment of such ordinary rates is to be rounded to the nearest 15 minutes.

(iii) Mileage Allowances and Fares.

Where an employee is required to travel to an alternative worksite and has not been temporarily transferred to that site pursuant to subclause (v) of this clause:

- (a) And subject to the provisions of paragraph (d) of this subclause, an employee will be paid Mileage Allowance at the following rates where directed by the Department to utilise their own vehicle in order to travel to and from an alternative worksite;

Engine Capacity	
Over 2700cc	75.9c per kilometre
1600cc to 2700cc	70.6c per kilometre
Under 1600cc	50.6c per kilometre

- (b) And subject to the provisions of paragraph (d) of this subclause, an employee will be paid Mileage Allowance at the following rates where the employee opts to utilise their own vehicle to travel to and from an alternative worksite and the Department agrees to that occurring prior to the employee utilising their own vehicle;

Engine Capacity	
Over 2700cc	27c per kilometre
1600cc to 2700cc	25c per kilometre
Under 1600cc	21.1c per kilometre

- (c) And subject to the provisions of paragraph (d) of this subclause, an employee who utilises public transport in order to travel to and from an alternative worksite will be reimbursed any public transport costs.
- (d) Where the use of the employee's vehicle or fare incurred relates to the journey between the employee's home and the alternative worksite to commence work or relates to the journey between the alternative worksite and the employee's home at the cessation of work, the amount of Mileage Allowance or fares which can be claimed under this subclause will be limited to that number of kilometres or fare which is in excess of that reasonably incurred by the employee in relation to the journey to and from the employee's home and usual worksite.

(iv) Rest Periods, Tea Breaks and Unpaid Meal Periods

If still working at an alternative worksite at the relevant time and, unless specifically advised otherwise:

- (a) An employee is to take any paid rest period or tea break at the alternative site.
- (b) Employees may not travel to the usual worksite in Departmental time or in a Departmental vehicle in connection with the unpaid meal period.
- (c) Nothing will be payable to an employee in relation to the use of the employee's vehicle or fare incurred in connection with the unpaid meal period.

(v) Temporary Transfer to Alternative Worksite

An employee may be directed to work from an alternative worksite for one week or more on a temporary transfer basis where that direction is reasonable. For the purposes of subclauses (ii) and (iii) of this clause, where such a direction has been given, the alternative worksite will be deemed to be the usual worksite upon the expiry of two weeks' notice or immediately upon commencement at the alternative worksite where two weeks' or more notice was given.

13. Area, Incidence and Duration

This award shall apply to employees and Apprentices indicated by the trades specified in Part B of this award employed by the Department.

- (i) This award is made following a review under section 19 of the *Industrial Relations Act* 1996 and rescinds and replaces the Skilled Trades Staff - Department of Ageing, Disability and Home Care (State) Award 2001 published 1 March 2002 (331 I.G. 820).
- (ii) The award published 1 March 2002 took effect the first full pay period commencing on or after 16 August 2001 and remained in force for a period of 12 months.
- (iii) The changes made to the award pursuant to the Award Review under 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 October 2004.
- (iv) This award remains in force until varied or rescinded, the period for which it was made already having expired.

14. Leave Reserved

Leave is reserved to all/any of the parties to pursue award variations which give effect to or which are consistent with the Memorandum of Understanding between the parties at Annexure 1.

15. No Extra Claims

During the term of this award, no wages or other claims may be made, except if expressly provided for or otherwise agreed by the parties.

PART B

RATES OF WAGES AND ALLOWANCES

Salary and Allowance ID Codes	Classification, Wages and Allowances	1st Full Pay on or after 1/1/03 (4%)	1st Full Pay on or after 1/7/03 (5%)
	Wages (excluding Apprentices)	\$ per annum	\$ per annum
G51	Bricklayer Level 1	36080	37884
G41	Bricklayer Level 2 (calculate 105% of Level 1)	37884	39778
G52	Carpenter and/or Joiner Level 1	36080	37884
G44	Carpenter and/or Joiner Level 2 (calculate 105% of Level 1)	37884	39778
G53	Painter Level 1	36080	37884
G47	Painter Level 2 (calculate 105% of Level 1)	37884	39778
G48	Painter Level 3 (calculate 110% of Level 1)	39688	41672
G54	Plumber and/or Gasfitter Level 1	36422	38243
G4A	Plumber and/or Gasfitter Level 2 (calc. 105% of Level 1)	38243	40155
G43	Plumber and/or Gasfitter Level 3 (calc. 110% of Level 1)	40064	42067
G56	Electrical Fitter Level 1	38348	40265
G4D	Electrical Fitter Level 2 (calculate 105% of Level 1)	40265	42278
G57	Plant Electrician Level 1	40364	42382
G4G	Plant Electrician Level 2 (calculate 105% of Level 1)	42382	44501
G58	Fitter Level 1	36080	37884
G4J	Fitter Level 2 (calculate 105% of Level 1)	37884	39778
G5C	Charge Hand Project Level 1	45977	48276
G4M	Charge Hand Project Level 2 (calculate 105% of Level 1)	48276	50690
G5D	Motor Mechanic Level 1	36080	37884
G4P	Motor Mechanic Level 2 (calculate 105% of Level 1)	37884	39778
G5F	Charge Hand Supervisory Level 1	48158	50566

	Leading Hand Allowance	\$ per annum	\$ per annum
196	Leading Hand 1 to 5	1679	1763
197	Leading Hand 6 to 10	2151	2259
198	Leading Hand > 10	2811	2952
194	Mental Institutions Allowance	N/A	N/A
203	Tradesmen's Tool Allowance -	\$ per week	\$ per week
	electrical classifications only (also apply to Apprentices). These are the only tool allowances increased as for wages.		
TS18	Electrical Fitter/Electrical Mechanic/Plant Electrician	12.20	12.80
	Tradesmen's Licence Allowance	\$ per annum	\$ per annum
347	Plumber	1656	1739
347	Gasfitter	1656	1739
350	Drainer	2178	2287
350	Plumber and/or Gasfitter	2178	2287
350	Gasfitter and/or Drainer	2178	2287
350	Plumber and/or Drainer	2178	2287
352	Plumber/Gasfitter/Drainer	2959	3107
354	Drainer (Licensed)	1373	1442
357	Electrician	1623	1704
	Tradesmen's Registration Allowance		
205	Plumber/Gasfitter/Drainer	1231	1293
	Computing Quantities		
366	Computing Quantities	967	1015
	Certificate Allowances		
307	Boiler Attendants Certificate Allowance	\$ per instance	\$ per instance
		4.76	5.00
308	Thermostatic Mixing Valve Certificate Allowance	\$ per annum	\$ per annum
		876	920
	Apprentice Trades	\$ per annum	\$ per annum
	1st Year	16682	17516
	2nd Year	21341	22408
	3rd Year	26997	28347
	4th Year	30630	32162
	Examination Allowance		
	1st Year	58.10	61.00
	2nd Year	116.30	122.10
	3rd Year	174.30	183.00
370	Industry Allowance	1024.60	1075.80
		\$ per hour	\$ per hour
177	Welding Allowance	0.16	0.17
178	Bricklaying > 18 kg	1.40	1.47
179	Confined Spaces	0.63	0.66
180	Height Money	0.51	0.54
181	Hot Places	0.63	0.66
182	Insulation	0.63	0.66
183	Asbestos Eradication	1.70	1.79
184	Smoke Boxes A	0.34	0.36
185	Wet Places	0.51	0.54
186	Acid Furnaces, Stills	2.57	2.70
187	Smoke Boxes B	1.27	1.33
188	Clean down bricks	0.47	0.49
189	Spray Application	0.51	0.54
190	Roof Work	0.63	0.66
191	Explosive Power Tools	1.20	1.26
193	Dirty Work	0.51	0.54
194	Mental Institutions Allowance	N/A	N/A
214	Applying Obnoxious Substances	0.63	0.66
289	Legionella	2.35	2.47

171	Fouled Equipment	\$ per day 5.90	\$ per day 6.20
176	Pneumatic Tool Operation	2.76	2.90
	Relief Daily Licence Allowances		
207	Plumber/Drainer/Gasfitter Licence	11.40	11.97
208	Gasfitter	6.20	6.51
209	Drainer	5.20	5.46
210	Gasfitter/Drainer	8.25	8.66
212	Computer Quantities	3.69	3.87
287	Plumber/Drainer/Gasfitter Registration Certificate	4.72	4.96
152	Chokages	\$ per instance 5.90	\$ per instance 6.20
	Tradesmen's Tool Allowances - excluding electrical classifications. These allowances are Award, pursuant to applications to vary to give effect to cost-of-living increases, and also apply to Apprentices.	\$ per week as at 18/9/01	\$ per week as at 11/9/02
333	Bricklayer	14.80	15.20
330	Carpenter and/or Joiner/Fitter/Motor Mechanic	20.90	21.50
331	Painter	5.20	5.30
330	Plumber and/or Gasfitter/and or Drainer	20.90	21.50

ANNEXURE 1

MEMORANDUM OF UNDERSTANDING BETWEEN THE PARTIES

Memorandum of Understanding between

NSW Government (Public Sector Management Office);

NSW Department of Community Services;

Construction Forestry Mining and Energy Union (Construction and General Division) Division;

NSW Plumbers and Gasfitters Union;

Electrical Trades Union of Australia - NSW Branch; and

Automotive Food Metal Engineering Printing and Kindred Industries Union (AFMEPKIU)

Clause No. Subject Matter

1. Preamble
2. Objectives
3. The Parties
4. Outcome
5. Wages Increases, Duration and Funding Strategies
6. Dispute Resolution
7. Signatures of the Parties

1. Preamble

This Memorandum of Understanding (MOU) is a commitment between the parties to progress priority issues for continued reform in the NSW public sector generally and in DoCS specifically in settlement of wages and award negotiations between the parties.

This MOU intends a co-operative and productive partnership to achieve a co-ordinated, whole-of-Government approach to improving service delivery to the people of NSW and enhancing the quality of life of employees. This includes taking a balanced approach to economic, social and environmental impacts of these initiatives.

This MOU is premised on the basis that there will be no new salaries or conditions claims during the term of this MOU, excepting for claims made for the purpose of generating sufficient savings to fund those portions of wages increases which are to be funded by future reforms, savings and efficiencies, or excepting as otherwise agreed. The term of this MOU is from the date it is signed by all parties to 30 June 2004.

The relevant award is to be varied to give effect to the provisions of this MOU and to reflect changes arising from the operation of the MOU as those occur.

2. Objectives

The objectives of this MOU are:

To maintain harmonious industrial relations in the workplace;

To promote efficiency and productivity in the NSW public sector generally and in DOCS specifically;

To promote active participation in workplace reform by DOCS, unions and employees;

To facilitate appropriate regulation of employment conditions through awards, enterprise arrangements and other industrial instruments;

To encourage DOCS and unions to work together to provide services which meet the needs of the local community; and

To promote integrated services through sharing service arrangements, redesigning systems and utilising new technological opportunities.

3. The Parties

The parties to this MOU are:

NSW Government (Public Sector Management Office);

NSW Department of Community Services;

Construction Forestry Mining and Energy Union (Construction and General Division) Division;

NSW Plumbers and Gasfitters Union;

Electrical Trades Union of Australia - NSW Branch; and

Automotive Food Metal Engineering Printing and Kindred Industries Union (AFMEPKIU).

4. Outcome

This MOU recognises a long-term commitment by the parties to ongoing reform of the NSW public sector generally and of DOCS. It intends the achievement of improved service delivery to the people of NSW and enhanced quality of work life of employees through co-operative workplace reform and equitable and productive workplace relations.

5. Wages Increases, Duration and Funding Strategies

This MOU provides for Wage/Wage Related Allowances increases in the percentages (%) shown in the table below. Such increases are to apply from the first full pay period to commence on or after the dates indicated, and are to be funded from the budget and from future DOCS Trades Staff reforms, savings and efficiencies resulting from this MOU.

Date of Effect of Wage/Wage Related Allowances Increases	Percentage Increase to Wages and Wage-Related Allowances
1 July 2000	4%
1 January 2002	3%
1 January 2003	4%
1 July 2003	5%

In identifying future reforms, savings and efficiencies, DoCS needs and priorities are to be met. The parties agree to develop a method for quantification and verification of savings. The parties at agency level agree to meet as often as is necessary to develop and agree on those future reforms, savings and efficiencies.

A number of key sector wide priorities are identified in Appendix A to the Memorandum of Understanding between the NSW Government and the major public sector unions, signed 2 March 2000.

6. Dispute Resolution

The dispute procedure contained in the relevant award is to be followed. Should a matter not be resolved with DOCS in a reasonable period of time, it should be referred to the appropriate union and/or the Director-General, Premier’s Department for resolution.

The parties may seek the assistance of the NSW Industrial Relations Commission should these procedures not resolve the matter. Normal work will continue while these procedures are being followed, unless the dispute involves a bone fide workplace health and safety hazard or risk.

7. Signature of the Parties

This Memorandum of Understanding (Agreement) is made at Sydney on 24 July 2001 and shall have effect from that day. This agreement will expire on 30 June 2004.

Signed for and on behalf of the Public Employment Office Premier’s Department

in the presence of:

Signed for and on behalf of the NSW Department of Community Services

in the presence of:

Signed for and on behalf of the Construction, Forestry, Mining and Energy Union (Construction and General Division) NSW Branch

in the presence of:

Signed for and on behalf of the NSW Plumbers and Gasfitters Union

in the presence of:

Signed for and on behalf of the Electrical Trades Union of Australia, NSW Branch

in the presence of:

Signed for and on behalf of the Automotive, Food, Metal,
Engineering, Printing and Kindred Industries (AFMEPKIU)

in the presence of:

R. W. HARRISON *D.P.*

Printed by the authority of the Industrial Registrar.

(759)

SERIAL C3823**NURSING HOMES, &c., NURSES' (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, industrial organisation of employees and another.

(No. IRC 3069 and 3870 of 2003)

The Honourable Justice Wright, President
 The Honourable Justice Boland
 Mr Deputy President Sams
 Commissioner Bishop

29 March 2005

AWARD**Arrangement****PART A**

Clause No. Subject Matter

1. Definitions
2. Hours of Work and Free Time of Employees Other Than Directors of Nursing
3. Hours of Work and Free Time of Directors of Nursing
4. Remuneration Packaging
5. Rosters
6. Salaries
7. Transitional Arrangements - Registered Nurse Incremental Scale
8. Recognition of Service and Experience
9. Average Occupied Beds
10. Special Allowances
11. Climatic and Isolation Allowance
12. Penalty Rates for Shift Work and Weekend Work
13. Expense Allowance for Directors of Nursing
14. Telephone Allowance
15. Public Holidays
16. Uniform and Laundry Allowance
17. Higher Grade Duty
18. Overtime
19. Payment and Particulars of Salaries
20. Proportion
21. Part-time, Casual and Temporary Employees
22. Annual Leave
23. Annual Leave Loading
24. Sick Leave
25. Long Service Leave
26. Compassionate Leave
27. Personal/Carer's Leave
28. Staff Amenities
29. Labour Flexibility
30. Medical Examination of Nurses
31. Escort Duty
32. Deputy Director of Nursing and Assistant Director of Nursing
33. Nursing Unit Managers

34. Fares and Expenses
35. Registration or Enrolment Pending
36. Termination of Employment
37. Award Benefits to be Continuous
38. Special Provisions Relating to Trainee Enrolled Nurses
39. Trainee Enrolled Nurse
40. Right of Entry
41. Lifting Weights
42. Attendance at Meetings and Fire Drills
43. Training for Nurses
44. Resolution of Disputes
45. Anti-Discrimination
46. Enterprise Arrangements
47. Exemptions
48. Leave Reserved
49. Area, Incidence and Duration

PART B

MONETARY RATES

Table 1 - Salaries

Table 2 - Other Rates and Allowances

PART A

1. Definitions

The following definitions apply in this award, except where otherwise clearly indicated.

- (i) "Assistant in Nursing" means - a person, other than a registered nurse, trainee or enrolled nurse who is employed in nursing duties in a facility.
- (ii) "Assistant Director of Nursing" means:-
 - (a) A person appointed as such in any sized facility and includes a person appointed as the nurse in charge during the evening or night in a facility where the adjusted daily average of occupied beds is not less than 150.
 - (b) A person appointed as such to a position approved by the employer including persons appointed to be in charge of a ward or group of wards.
- (iii) "Association" means - the New South Wales Nurses' Association.
- (iv) "Board" means - the Nurses' Registration Board of NSW.
- (v) "Clinical Nurse Consultant" means - a registered nurse appointed as such to the position, who has had at least five years' post registration experience and who has in addition approved post registration nursing qualifications relevant to the field in which they are appointed or such other qualifications or experience deemed appropriate by the employer.
- (vi) "Clinical Nurse Educator" means - a registered nurse with relevant post registration certificate qualifications or experience deemed appropriate by the employer, who is required to implement and evaluate educational programmes at the nursing home.

The Clinical Nurse Educator shall cater for the delivery of clinical nurse education at the nursing home.

The Clinical Nurse Educator may also be responsible for new employee orientation at the nursing home.

A nurse will achieve Clinical Nurse Educator status on a personal basis by being required by the nursing home to provide the educational programmes detailed above.

Nothing in this clause shall affect the role carried out by the Clinical Nurse Specialist as a specialist resource and the Clinical Nurse Consultant in the primary role of clinical consulting, researching etc.

(vii) "Clinical Nurse Specialist":-

(a) In facilities of 250 ADA and above, the definition of a Clinical Nurse Specialist is:

"Clinical Nurse Specialist" means - a registered nurse with specific post registration qualifications and twelve months experience working in the clinical area of her/his specified post registration qualification; or a registered nurse with four years post registration experience in a specific clinical area and working in the clinical area of her/his specified post registration experience.

(b) In facilities of less than 250 ADA the definition for Clinical Nurse Specialist is:

"Clinical Nurse Specialist" means - a registered nurse with specific post registration qualifications and twelve months experience working in the clinical areas of her/his specified post registration qualification.

(viii) "Day Worker" means - a worker who works her/his ordinary hours from Monday to Friday inclusive and who commences work on such days at or after 6.00 am and before 10.00 am, otherwise than as part of the shift system.

(ix) "Deputy Director of Nursing" means - a person appointed to that position or deemed to hold that position pursuant to clause 32, Deputy Director of Nursing and Assistant Director of Nursing, of this award.

(x) "Director of Nursing" means a registered nurse who is registered by her/his employer with the Health Administration Corporation as the person in charge of the facility. There shall be only one person in each facility entitled to be classified as Director of Nursing or whatever title the senior nursing administrator is known by in the individual facility and shall include "Chief Nurse" as defined by the *Nursing Homes Act 1988*.

(xi) "Enrolled Nurse" means - a person enrolled by the Board as such.

(xii) "Experience" in relation to an enrolled nurse or assistant in nursing means experience both before and/or after the commencement of this award whether within New South Wales or elsewhere and in the case of an enrolled nurse or assistant in nursing who was formerly a student nurse includes experience as such student nurse.

(xiii) "Facility" means - a nursing home or hostel.

(xiv) "Hostel" means - a Hostel as defined as at 1st September 1993 in the *Aged and Disabled Persons Care Act 1954* (Commonwealth).

(xv) "Industry of Nursing" means - the industry of persons engaged in New South Wales in the profession of nursing in nursing homes and hostels.

(xvi) "Nurse" includes Registered Nurses, Enrolled Nurses and Assistants in Nursing.

(xvii) "Nurse Educator" means - a registered nurse with a post registration certificate, who has relevant experience or other qualifications deemed appropriate by the employer, and who is appointed to a position of Nurse Educator.

A Nurse Educator shall be responsible for the development, implementation and delivery of nursing education programmes within a nursing home or group of nursing homes. Nurse education programmes shall mean courses conducted such as post registration certificates, continuing nurse education, orientation programmes including new graduate programmes, post enrolment courses for enrolled nurses and where applicable general staff development courses.

A person appointed to a position of Nurse Educator who holds relevant tertiary qualifications in education or tertiary postgraduate specialist clinical nursing qualifications shall commence on the 3rd year rate of the salary scale.

A person appointed as the sole nurse educator for a group of nursing homes shall be paid at the 3rd year rate of the salary scale.

Incremental progression for Nurse Educators shall be on completion of 12 months satisfactory full-time equivalent service, provided that progression shall not be beyond the 3rd year rate unless the person possesses the qualifications detailed in the two previous paragraphs. Persons appointed to the 3rd year rate by virtue of paragraphs 3 and 4 above shall progress to the 4th year rate after completion of 12 months satisfactory full time service.

- (xviii) "Nursing Home" means - a Nursing Home as defined as at 1 September 1993 by the *Nursing Homes Act, 1988*.
- (xix) "Registered Nurse" means - a person registered by the Board as such.
- (xx) "Senior Nurse Educator" means - a registered nurse with a post registration certificate or appropriate qualifications, who has, or is working towards, recognised tertiary qualifications in education or equivalent and has demonstrated experience and skills in the field of education, and who is appointed to a position of Senior Nurse Educator.

A Senior Nurse Educator shall be responsible for one or more Nurse Educators in the planning, co-ordination, delivery and evaluation of educational programmes such as post registration certificate courses, continuing nurse education, orientation programmes including new graduate programmes, post enrolment courses for enrolled nurses and where applicable general staff development courses either in a nursing home or in a group of nursing homes.

Incremental progression shall be on completion of 12 months' satisfactory service.

- (xxi) "Service" for the purpose of clause 6, Salaries, of this award, means - service before or after the commencement of this award in New South Wales or elsewhere as a registered nurse, plus any actual periods on and from 1 January 1971, during which a registered nurse undertook a prescribed geriatric, infants', midwifery, mothercraft or psychiatric training course, or attended a post-graduate course recognised by the Board whether in New South Wales or elsewhere; provided that in the case of service elsewhere than in New South Wales where the period of the prescribed course of training is less than the period of the prescribed course of training in New South Wales, the nurses shall serve a period after graduation equal to the difference between the period of the prescribed course elsewhere than in New South Wales and the period of the prescribed course in New South Wales before becoming entitled to be paid as a registered nurse, general nurse, geriatric nurse, infants' nurse, midwifery nurse, mothercraft nurse or psychiatric nurse as the case may be.
- (xxii) "Shift Worker" means - a worker who is not a day worker as defined.
- (xxiii) "Trainee Enrolled Nurse" means - a person who is being trained to become an enrolled nurse in a nursing home recognised by the Board for that purpose.

2. Hours of Work and Free Time of Employees Other Than Directors of Nursing

- (i) The ordinary hours of work for day workers, other than Directors of Nursing, exclusive of meal times, shall be 152 hours per 28 calendar days, to be worked Monday to Friday, inclusive, and to commence on such days at or after 6.00 a.m. and before 10.00 a.m.

(ii) The ordinary hours of work for shift workers, other than Directors of Nursing, exclusive of meal times, shall not exceed an average of 38 hours per week in each roster cycle.

(iii)

(a) The hours of work prescribed in subclauses (i) and (ii) of this clause shall, where possible, be arranged in such a manner that in each roster cycle of 28 calendar days each employee shall not work his/her ordinary hours of work on more than 19 days in the cycle.

(b) Notwithstanding the provision of paragraph (a) of this subclause, employees may, with the agreement of the employer, work shifts of less than eight hours each over 20 days in each cycle of 28 days.

(c) Provided that on the occasion of an employee's written request, and with the consent of the employer, a 9.5-day fortnight may be worked instead of the 19-day month.

NOTE: This subclause is designed to ensure that rosters achieve increased leisure time for nurses, rather than reduced daily hours. This can be achieved by the working of shifts of longer than eight hours per day, with the result that less than 19 days are worked in 28, but without the accrual of an additional day off, as well as by the working of a 19-day month with an accrued additional day off.

(iv) Each shift shall consist of no more than ten hours on a day shift or 11 hours on a night shift with not less than eight hours break between each shift; provided that an employee shall not work more than seven consecutive shifts unless the employee so requests and the Director of Nursing agrees. Provided also that an employee shall not work more than two quick shifts in any period of seven days, i.e., an evening shift followed by a morning shift, where the break between ordinary shifts is less than ten hours.

(v) The employer is to decide when employees take their additional days off prescribed in subclause (iii) of this clause (as a consequence of the implementation of the 38-hour week). Where necessary, the employer must consult with the affected employees to ascertain the employees' preferences and must take any such preferences into account when arriving at a decision. Where practicable, additional days off duty shall be consecutive with the rostered days off duty prescribed in subclause (xiv) of this clause.

(vi) Once set, the additional day off duty may not be changed, except in accordance with the provisions of clause 6, Rosters.

(vii) Where the employer's decision (in accordance with subclause (v) of this clause) is that an employee's additional days off be accumulated, no more than six days may be accumulated in any one year of employment. By mutual agreement this may be extended to no more than 12 days at any one time.

(viii)

(a) Except for breaks for meals, the hours of duty each day shall be continuous.

(b) "Broken shift" for the purposes of this subclause means a shift worked by a permanent part-time employee that includes a break (other than a meal break) of not more than four hours and where the span of hours is not more than 12 hours.

(c) Notwithstanding paragraph (a) above and subclause (iv) of this clause, an employer association representing an employer may apply to the Association for permission to implement broken shifts.

(d) Broken shifts may be worked without the permission of the Association, but only where:

(1) it is for a period of one month or less; and

(2) it is by reason of an emergency in the roster, e.g., absence of another employee due to sick leave, annual leave on short notice or resignation; and

- (3) the affected employees agree to work the broken shifts.
- (ix)
- (a) Each employee shall be allowed a break of not less than 30 minutes and not more than 60 minutes for each meal occurring on duty.
- (b) Where practicable, employees shall not be required to work more than five hours without a meal break.
- (x) Two separate ten-minute intervals (in addition to meal breaks) shall be allowed each employee on duty during each ordinary shift of 7.6 hours or more; where less than 7.6 ordinary hours are worked, employees shall be allowed one ten-minute interval in each four-hour period. Subject to agreement between the employer and the employee, such intervals may alternatively be taken as one 20-minute interval, or as one ten-minute interval with the employee allowed to proceed off duty ten minutes before the completion of the normal shift finishing time. Such interval(s) shall count as working time.
- (xi) Subclauses (ix) and (x) of this clause shall not apply to an employee who, before going on night duty, is provided with a meal between 9.00 p.m. and 11.00 p.m. and who is allowed two intervals of 20 minutes each during the period of night duty, but such intervals shall count as working time and shall be paid for as such.
- (xii)
- (a) Except as provided for in paragraph (b) of this subclause, an employee shall not be employed on night duty for a longer period than eight consecutive weeks. After having served a period of night duty, an employee shall not be required to serve a further period on night duty until he or she has been off night duty for a period equivalent to the previous period on night duty.
- (b) The provisions of paragraph (a) shall not apply to an Assistant Director of Nursing, a Nursing Unit Manager or a registered nurse in charge, as the case may be, who is employed permanently in charge at night, nor to an employee who requests to be employed on night duty and the Director of Nursing consents.
- (c) Moreover, except in cases of emergency, a trainee enrolled nurse shall not be employed on night duty for more than ten weeks in any one year of training nor shall a trainee enrolled nurse who is sitting for his or her final examination be required to perform night duty during a period of at least two weeks prior to the respective examination or on the two nights following such examination.
- (xiii) An employee changing from night duty to day duty or from day duty to night duty shall be free from duty during the 20 hours immediately preceding the commencement of the changed duty.
- (xiv)
- (a) Each employee shall be free from duty for not less than two full days in each week or four full days in each fortnight or eight full days in each 28-day cycle and no duties shall be performed by the employee on any of such free days except for overtime. Where practicable, days off shall be consecutive and shall not be preceded by an evening shift or a night shift unless an additional eight hours are granted as sleeping time. An evening shift shall be one which commences at or after 1.00 p.m. and before 4.00 p.m.
- (b) An employee, at his or her request, may be given free-from-duty time in one or more periods but no period shall be less than one full day.
- (c) For the purpose of this subclause, "full day" means - from midnight to midnight or midday to midday.

- (xv)
- (a) Employees may be required to remain "on call". Any such time on call shall not be counted as time worked (except insofar as an employee may take up actual duty in response to a call), but shall be paid for in accordance with clause 11, Special Allowances. Provided, however, that no employee shall be required to remain on call whilst on leave or on the day before entering upon leave.
 - (b) No employee shall be required to remain on call while on a rostered day or days off nor on completion of the shift on the day preceding a rostered day off. This provision shall not apply where in special circumstances it is necessary for an employer to place staff on call on rostered days off or on completion of the shift on the day preceding a rostered day off in order to ensure the provision of services.
- (xvi) All rostered time off duty occupied by a trainee enrolled nurse in attendance at lectures and demonstrations given in the course of instruction in the theory and practice of nursing or during the time necessarily occupied in attending at and sitting for prescribed examinations shall be deemed to be time worked.
- (xvii) The provisions of paragraphs (a) and (b) of subclause (xii) and of subclause (xiii) and of paragraph (a) of subclause (xiv) of this clause, shall not apply if the employee is required to perform duty to enable the nursing service of the employer to be carried on or where another employee is absent from duty on account of illness or in an emergency.

3. Hours of Work and Free Time of Directors of Nursing

- (i) A Director of Nursing shall be free from duty for not less than nine days in each 28 consecutive days and such days free from duty may be taken in one or more periods.
- (ii) If any of the days mentioned in subclause (i) of this clause cannot be taken by reason of emergency, such day or days shall be given and taken within 28 days of becoming due.
- (iii) A Director of Nursing shall, where practicable, inform his/her employer by giving not less than seven days' notice of the days he/she proposes to be free from duty; provided that such days shall be subject to the approval of the employer, and such approval shall not be unreasonably withheld.

4. Remuneration Packaging

- (i) Where an employer intends to offer remuneration packaging generally to employees under this award, the employer shall notify the Association at least 21 days prior to making that general offer that it intends to make a general offer of remuneration packaging to employees under this award.
- (ii) Where the employer offers remuneration packaging to an individual employee, the employer shall allow the employee a period of no less than 21 days to seek independent advice on the terms of the proposed remuneration packaging.
- (iii) Remuneration packaging shall be introduced by agreement between an employer and the employee. Neither the employee nor the employer shall be compelled to enter into a salary packaging arrangement. Employees may exercise their rights to continue to receive their applicable salary.
- (iv) The terms and conditions of a package offered to an employee shall not, when viewed objectively, be less favourable than the entitlements otherwise available under the award and shall be subject to the following provisions:
 - (a) The employer shall ensure that the structure of any package complies with taxation and other relevant laws.
 - (b) All award conditions, other than the salary and those conditions as agreed in paragraph (c) below shall continue to apply.

- (c) Where packaging arrangements apply with a Director of Nursing (DON) or a Deputy Director of Nursing (DDON), the employer and employee may by mutual agreement delete the application of certain award clauses, excepting clauses 22 Annual Leave, 24 Sick Leave, 25 Long Service Leave and 27 Personal/Carer's Leave.
- (d)
- (i) Employees will have the Superannuation Guarantee Contribution (SGC) calculated on their award salary prior to the application of any remuneration packaging arrangements.
- (ii) Employers shall, by no later than 31 December 2002, renegotiate any remuneration package in operation prior to 13 November 2002, where such package includes a SGC calculated on less than their pre-packaged award salary. The package must provide for future SGC contributions to be based on the pre-packaged award salary.
- (v) A copy of the agreement shall be made available to the employee.
- (vi) The employee shall be entitled to inspect details of the payments made under the terms of this agreement.
- (vii) The configuration of the remuneration package shall remain in force for the period agreed between the employee and the employer.
- (viii) Where at the end of the Fringe Benefit Tax year the full amount allocated to a specific benefit has not been utilised, it will be paid as salary, which will be subject to appropriate taxation requirements. By agreement between the employer and the employee, any unused benefit may be carried forward to the next period on the basis that any FBT obligation is accepted by the employee.
- (ix) In the event that the employer ceases to attract exemption from payment of Fringe Benefit Tax, the employer may terminate all remuneration packaging arrangements and the employee's salary will revert to the applicable award classification rate the employee would have been entitled to receive but for the remuneration packaging agreement.
- (x) One months notice by either party is required for change or termination of a remuneration packaging agreement, unless the change or termination is brought about by legislation or an increase to the award wage.
- (xi) In the event that the employee ceases to be employed by the employer this agreement will cease to apply as at the date of termination. Benefits not paid on or before the date of termination shall be treated as salary and the appropriate tax deducted.
- (xii) Pay increases granted to employees in accordance with this award shall also apply to employees subject to remuneration packaging arrangements.
- (xiii) Any allowance, penalty rate, overtime, payment for unused leave entitlements, other than any payments for leave taken whilst employed, shall be calculated by reference to the salary which would have applied to the employee in the absence of any remuneration packaging arrangements.

5. Rosters

- (i) The ordinary hours of work for each employee, other than the Director of Nursing, shall be displayed on a roster in a place conveniently accessible to employees.
- (ii) The roster shall, where practicable, be displayed at least two weeks, and in any event not less than one week, prior to the commencing date of the first working period in the roster.

- (iii) Notwithstanding the foregoing provisions of this clause, a roster may be altered at any time to enable the nursing service of the facility to be carried on where another employee is absent from duty on account of illness or in an emergency; provided that where any such alteration involves an employee working on a day which would otherwise have been such employee's day off, the day off in lieu thereof shall be as mutually arranged.
- (iv) Prior to the date of the changed shift, such change of roster shall be notified verbally or in writing to the employee concerned.
- (v) Where an employee is entitled to an additional day off duty in accordance with clause 2, Hours of Work and Free Time of Employees other than Directors of Nursing, of this award, such day is to be shown on the roster of hours for that employee.
- (vi) All rosters shall be retained for at least six years.

6. Salaries

- (i) The minimum salaries per week shall be as set out in Table 1 - Salaries, of Part B, Monetary Rates.
- (ii) Where an employer appoints an Assistant Director of Nursing, Deputy Director of Nursing or Director of Nursing to be responsible for a hostel, then the following calculation will apply when calculating the adjusted daily average of hostel beds to be included for salary purposes:

Responsibility for Hostel	Nursing Home Bed	Percentage %
(1)	No responsibility	0
(2)	Partial responsibility: Where the assigned responsibility is limited to oversight of the operation of a hostel and liaison with a Hostel Supervisor (who has been appointed to supervise hostel staff in the performance of their duties and to carry out administrative and other tasks relevant to the operation of the hostel and the welfare and care of residents)	25
(3)	Total responsibility: No Hostel Supervisor engaged in the hostel over which responsibility has been assigned	100

Provided that every fraction of a bed resulting from this calculation shall be deemed to equal one nursing home bed.

7. Transitional Arrangements - Registered Nurse Incremental Scale

- (i) For the purposes of this clause "transitional date" means the first pay period commencing on or after 1 March 1996.
- (ii) The year of service for the purpose of the incremental scale for a registered nurse employed at the transitional date shall be determined by locating the registered nurse's current year of service on the incremental scale in Column A of the Transitional Table in subclause (iv). The registered nurse's incremental year of service shall be deemed to be the year of service appearing opposite in Column B of the Transitional Table. Provided that a registered nurse with eight or more actual years of service shall be placed on the eighth year of service in Column B of the Transitional Table.

- (iii) Registered nurses who commence employment with an employer after the transitional date shall have their year of service determined as if they were employed by the employer at the transitional date. That is, the transitional arrangements shall apply to all periods of employment, under this award, which commence on or after the transitional date.

- (iv) Transitional Table:

Column A (Old incremental scale)	Column B (New incremental scale)
First year of service	First year of service
Second year of service	First year of service
Third year of service	Second year of service
Fourth year of service	Third year of service
Fifth year of service	Fourth year of service
Sixth year of service	Fifth year of service
Seventh year of service	Sixth year of service
Eighth year of service	Seventh year of service
UGI	Eighth year of service
Note: For the purposes of the old incremental scale only, a registered nurse who has obtained an appropriate degree in Nursing or Applied Science (Nursing) or Health Studies(Nursing) (referred to for the purposes of this clause as a "UGI" qualification) shall enter the incremental scale on the second year of service.	

- (v) The year of service determined by this clause shall be year of service only for the purposes of clause 6, Salaries. In particular this clause shall not affect the definition of service for the purposes of clause 22, Annual Leave, clause 24, Sick Leave or clause 25, Long Service Leave.
- (vi) A registered nurse's anniversary date for the purpose of moving to the next year of service is not affected by this clause.

8. Recognition of Service and Experience

- (i) The employer shall notify each nurse, in writing, of the requirements of this clause at the time of the nurse's commencement of employment. If the employer does not so notify the nurse, then the requirements of this clause shall not commence until the employer does so notify the nurse.
- (ii) From the time of commencement of employment the nurse has three months in which to provide documentary evidence to their employer detailing any other 'service' or 'experience', as defined in clause 1, Definitions, not disclosed at the time of commencement. This evidence, in the absence of other documentary evidence may take the form of a statutory declaration.
- (iii) Until such time as the nurse furnishes any such documentation contemplated in subclause (ii) above, the employer shall pay the nurse at the level for which proof has been provided.
- (iv) If within three months of commencing employment a nurse does provide documentary evidence of other previous service or experience not disclosed at the time of commencement, the employer shall pay the nurse at the appropriate rate as and from the date of commencement that would have been paid from that date had the additional evidence been provided at that time.
- (v) If a nurse provides documentary evidence of other previous service or experience not disclosed at the time of commencement after the said three months period, the nurse shall be paid a rate appropriate for the previous service or experience then proved, but only from the date of providing that evidence to the employer.

- (vi) A nurse who is working as a nurse for more than one organisation shall notify each employer under this award within one month of the end of each quarter of their hours worked with those other employers in the last quarter.
- (vii) A nurse who is entitled to progress to the next year of service or experience (by reason of hours worked with other employers) as and from a particular date must provide proof of that entitlement within three months of that entitlement arising. If that proof is so provided, the nurse shall be paid at the higher rate as and from the date they were entitled to progress to the next year of service or experience. If the proof is provided outside that three-month period, the nurse shall be paid at the higher rate only from the date that proof is provided.

9. Average Occupied Beds

The average shall be taken for the 12 months ended 30 June in each and every year and such average shall relate to the salary of the Director of Nursing and Deputy Director of Nursing for the succeeding year. On request, an employer shall furnish to the Association a statement in writing showing the adjusted daily average of occupied beds for the twelve months ending on the preceding 30 June.

10. Special Allowances

- (i)
 - (a) A registered nurse in charge during the day, evening or night of a facility having a daily average of occupied beds of less than 150 shall be paid, in addition to his or her appropriate salary, whilst so in charge, the relevant sum set out in Item 1 of Table 2, Other Rates and Allowances, of Part B Monetary Rates, per shift.
 - (b) A registered nurse who is designated to be in charge of a shift in a ward shall be paid, in addition to his or her appropriate salary, the sum set out in Item 2 of the said Table 2, per shift.
 - (c) This subclause shall not apply to registered nurses holding classified positions of a higher grade than a registered nurse.
 - (d) An enrolled nurse shall not be required to be in charge of a facility, shift, ward or unit.
- (ii)
 - (a) An employee required by her or his employer to be on call otherwise than as provided for in paragraph (b) of this subclause shall be paid the sum set out in Item 3 of Table 2 for each period of 24 hours or part thereof, provided that only one allowance shall be payable in any period of 24 hours.
 - (b) An employee required to be on call on rostered days off in accordance with paragraph (b) of subclause (xv) of clause 2, Hours of Work and Free Time of Employees Other Than Directors of Nursing, shall be paid the sum set out in Item 4 of Table 2 for each period of 24 hours or part thereof, provided that only one allowance shall be payable in any period of 24 hours.
 - (c) An employee who is directed to remain on call during a meal break shall be paid the sum set out in Item 5 of Table 2, provided that no allowance shall be paid if, during a period of 24 hours, including such period of on call, the employee is entitled to receive the allowance prescribed in paragraph (a) of subclause (ii) of this clause.
 - (d) Where an employee on remote call leaves the facility and is recalled to duty, she or he shall be reimbursed all reasonable fares and expenses actually incurred, provided that where an employee uses a motor car in those circumstances the allowance payable shall be calculated utilising the rate per kilometre in Item 6 of Table 2.
 - (e) This subclause shall not apply to a Director of Nursing, subsidiary nursing home Director of Nursing, Deputy Director of Nursing or Assistant Director of Nursing.

- (iii) Where an employee is called upon and agrees to use his or her own private vehicle for official business, payment of an allowance shall be made by utilising the rate per kilometre in Item 6 of Table 2. This subclause shall apply to all employees.

11. Climatic and Isolation Allowance

- (i) Subject to subclause (ii) of this clause, persons employed in facilities in places situated upon or to the west of a line drawn as herein specified shall be paid the sum per week as set out in Item 7 of Table 2 - Other Rates and Allowances, of Part B, Monetary Rates, in addition to the salary to which they are otherwise entitled. The line shall be drawn as follows:

Commencing at Tocumwal and thence to the following towns in the order stated, namely, Lockhart, Narrandera, Leeton, Peak Hill, Gilgandra, Dunedoo, Coolah, Bogabri, Inverell and Bonshaw.

- (ii) Persons employed in facilities in places situated upon or to the west of a line drawn as herein specified shall be paid the sum per week as set out in Item 8 of the said Table 2 in addition to the salary to which they are otherwise entitled. The line shall be drawn as follows:

Commencing at a point on the right bank of the Murray River opposite Swan Hill (Victoria), and thence to the following towns in the order stated, namely, Hay, Hillston, Nyngan, Walgett, Collarenebri and Mungindi.

- (iii) Except for the computation of overtime, the allowances prescribed by this clause shall be regarded as part of the salary for the purposes of this award.
- (iv) The allowances prescribed by this clause are not cumulative.
- (v) An employee who works less than 38 hours per week shall be entitled to the allowances prescribed by this clause in the same proportion as the average hours worked each week bears to 38 hours.

12. Penalty Rates for Shift Work and Weekend Work

- (i) Employees working afternoon or night shift shall be paid the following percentages in addition to the ordinary rate for such shift. Provided that employees who work less than 38 hours per week shall only be entitled to the additional rates where their shifts commence prior to 6.00 a.m. or finish subsequent to 6.00 p.m.

Afternoon shift commencing at 10.00 a.m. and before 1.00 pm	10 per cent.
Afternoon shift commencing at 1.00 p.m. and before 4.00 pm	12.5 per cent.
Night shift commencing at 4.00 p.m. and before 4.00 am	15 per cent.
Night shift commencing at 4.00 a.m. and before 6.00 am	10 per cent.

- (ii) "Ordinary rate" and "ordinary time" shall not include any percentages addition by reason of the fact that an employee works less than 38 hours per week, but shall include amounts payable under clause 6, Salaries, subclauses (i) and (ii) of clause 10, Special Allowances, and subclauses (i) and (ii) of clause 11, Climatic and Isolation Allowance.

- (iii) For the purposes of this clause, day, afternoon and night shifts shall be defined as follows:

"Day shift" means - a shift which commences at or after 6.00 a.m. and before 10.00 a.m.

"Afternoon shift" - means a shift which commences at or after 10.00 a.m. and before 4.00 p.m.

"Night shift" means - a shift which commences at or after 4.00 p.m. and before 6.00 a.m. on the day following.

- (iv) Employees whose ordinary working hours include work on a Saturday and/or Sunday, shall be paid for ordinary hours worked between midnight on Friday and midnight on Saturday at the rate of time and one-half and for ordinary hours worked between midnight on Saturday and midnight on Sunday at the rate of time and three-quarters. These extra rates shall be in substitution for and not cumulative upon the shift premiums prescribed in subclause (i) of this clause.

The foregoing paragraph shall apply to employees who work less than 38 hours per week, but such employees shall not be entitled to be paid in addition any allowance prescribed by clause 21, Part-time, Casual and Temporary Employees, in respect of their employment between midnight on Friday and midnight on Sunday.

- (v) The additional payments prescribed by this clause shall not form part of the employee's ordinary pay for the purposes of this award, except as provided in clause 22, Annual Leave.

13. Expense Allowance for Directors of Nursing

- (i) The Director of Nursing shall be paid the appropriate sum as set out in Item 9 of Table 2 - Other Rates and Allowances, of Part B, Monetary Rates, according to the adjusted daily average of the facility.

Payment equal to one quarter of the annual amount is to be made at the end of each three month period subsequent to appointment as Director of Nursing or Subsidiary Nursing Home Director of Nursing in a particular nursing home.

- (ii) Provided that this clause shall only apply to persons employed as at 12 December 1994 in nursing homes conducted by members of the Aged & Community Services Association of NSW & ACT Incorporated.

14. Telephone Allowance

- (i) If an employee is required, for the purpose of his/her employment, to be on call on a regular basis or where an employee is required by his/her employer to have a telephone installed for the purpose of his/her employment, the employer shall be responsible for the following payments:

- (a) Where the employee already has a telephone installed:

- (i) three-quarters of the cost of rental of the telephone;
- (ii) the cost of all official trunk line calls.

- (b) Where the employee does not have the telephone installed:

- (i) the cost of installation of the telephone;
- (ii) three-quarters of the cost of rental of the telephone;
- (iii) the cost of all official trunk line calls.

- (ii) Provided that this clause shall not apply to persons employed in facilities conducted by members of the Aged & Community Services Association of NSW. & ACT Incorporated.

15. Public Holidays

- (i) The following days shall be public holidays, viz: New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Labour Day, Christmas Day, Boxing Day, and any other day or part thereof proclaimed and observed as a public holiday within the area in which the facility is situated. All five-day workers shall be allowed every public holiday prescribed by this subclause without loss of pay.

- (ii) In addition to those public holidays prescribed in subclause (i) of this clause, employees are entitled to an extra public holiday each year. Such public holiday will occur on a day between Christmas Day and New Year's Day as determined by the employer following consultation with the Association. This subclause shall apply in substitution for any additional local public holiday or half public holiday proclaimed in a local government area.
- (iii)
- (a) A full time employee who is covered by paragraph (b) of subclause (i) of clause 22, Annual Leave, and who is required to and does work on a public holiday prescribed by subclauses (i) and (ii) of this clause shall have one day or one half day, as appropriate, added to his/her period of annual leave and shall be paid at the rate of time and one-half for the time actually worked.
- Such payment is in lieu of any additional rate for work or weekend work which would otherwise be payable had the day shift not been a public holiday. In lieu of adding to annual leave under this paragraph, an employee may elect to be paid for the time actually worked at the rate of time and one-half in addition to his/her ordinary weekly rate. Such election shall be made on the commencement of employment and then on the anniversary date each year. The employee may not alter such election during the year except with the agreement of the employer. Where payment is made in lieu of leave in respect of the time worked on a public holiday, payment shall be made for a minimum of four hours' work, and any balance of the day or shift not worked shall be paid at ordinary rates.
- (b) Where a public holiday falls on a rostered day off of a full-time shift worker as defined in clause 1, Definitions, who receives four weeks annual leave in accordance with paragraph (b) of subclause (i) of clause 22, Annual Leave, such shift worker shall be paid one day's pay in addition to the weekly rate or, if the employee so elects, shall have one day added to the period of annual leave prescribed by the said paragraph (b) of subclause (i) of the said clause 22.
- (c) For the purposes of this subclause, the hourly rate of pay shall be calculated on the basis of one thirty-eighth of the appropriate ordinary weekly rate of pay prescribed in clause 6, Salaries.
- (iv) Employees engaged upon a seven-day shift roster and who are required to work on any public holiday prescribed by subclause (i) of this clause shall be paid, in addition to their ordinary pay for that day, an allowance of 50 per cent of their ordinary day's pay for work performed within ordinary hours and double time and a half for all time worked outside ordinary hours.

16. Uniform and Laundry Allowance

- (i) Subject to subclause (iii) of this clause, sufficient suitable and serviceable uniforms, including one pair of shoes per annum which shall be of a recognised acceptable standard for the performance of nursing duties, and one cardigan or jacket, shall be supplied free of cost to each employee required to wear a uniform or part of a uniform. An employee to whom a new uniform or part of a uniform has been issued who, without good reason, fails to return the corresponding article last supplied shall not be entitled to have such article replaced without payment therefore at a reasonable price.
- (ii) An employee, on leaving the service of an employer, shall return any uniform or part thereof supplied by that employer which is still in use immediately prior to leaving.
- (iii)
- (a) In lieu of supplying uniforms and shoes to an employee, an employer shall pay the said employee the sum per week set in Item 10 of Table 2 - Other Rates and Allowances of Part B, Monetary Rates for uniforms and the sum per week set out in Item 11 of the said Table 2 for shoes.
- (b) In lieu of supplying a cardigan or jacket to an employee, an employer shall pay the said employee the sum per week set out in Item 12 of Table 2.

- (c) In lieu of supplying stockings to a female employee, an employer shall pay the said employee the sum per week set out in Item 13 of Table 2.
- (d) In lieu of supplying socks to an employee, the employer shall pay the said employee the sum per week set out in Item 14 of Table 2.
- (iv) If, in any facility, the uniforms of an employee are not laundered at the expense of the facility, the sum per week set out in Item 15 of Table 2 shall be paid to the said employee. Provided that the payment of such laundry allowance shall not be made to any employee on absences exceeding one week.
- (v) Where the employer requires any employee to wear headwear, the facility shall provide headwear free of charge to the employee.
- (vi) The allowances referred to in subclause (iii) are also payable during any period of paid leave.

17. Higher Grade Duty

- (i) Subject to subclauses (ii), (iii) and (iv) of this clause, an employee who is called upon to relieve an employee in a higher classification or is called upon to act in a vacant position of a higher classification, shall be entitled to receive for the period of relief or the period during which he/she so acts the minimum payment for such higher classification.
- (ii) The provisions of subclause (i) of this clause shall not apply where the employee of the higher classification is off duty pursuant to clause 3, Hours of Work and Free Time of Directors of Nursing, except insofar as a Director of Nursing accumulates days off for a continuous period of one week or more; nor when an employee in a higher grade is absent from duty by reason of his/her additional day off duty as a consequence of working a 38 hour week.
- (iii) Further, the provisions of subclause (i) of this clause shall not apply where a Director of Nursing is absent from duty for a period of three working days or less for any reason other than pursuant to the said clause 3.
- (iv) Subject to subclauses (ii) and (iii) above, the provisions of subclause (i) shall not apply where a day worker is being relieved and is absent from duty for a period of three consecutive working days or less

18. Overtime

- (i) Employees shall work reasonable overtime when required by the employer.
- (ii) 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.
- (iii) For the purposes of subclause (ii) 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 facility;
 - (d) the notice (if any) given by the employer of the overtime and by the employee of his or her intention to refuse it; and
 - (e) any other relevant matter.

- (iv) This subclause is subject to subclause (x) below.
- (a) Subject to paragraph (b) of this subclause, all time worked by employees other than Directors of Nursing in excess of the rostered daily ordinary hours of work shall be overtime and shall be paid for at the rate of time and one-half for the first two hours and double time thereafter in respect of each overtime shift worked or in respect of overtime worked prior to or at the conclusion of a normal shift. Provided that overtime worked on Sundays shall be paid for at the rate of double time and on public holidays at the rate of double time and one-half.
- (b) All time worked by employees pursuant to Part I of clause 21, Part-time, Casual and Temporary Employees, in excess of the rostered daily ordinary hours of work prescribed for the majority of full-time employees employed on that shift in the ward or section concerned shall be paid for at the rate of time and one-half for the first two hours and double time thereafter, except that on Sundays such overtime shall be paid for at the rate of double time and on public holidays at the rate of double time and one-half.
- Time worked up to the rostered daily ordinary hours of work prescribed for a majority of the full-time employees employed on that shift in the ward or section concerned shall not be regarded as overtime but an extension of the contract hours for that day and shall be paid at the ordinary rate of pay.
- (v) The ordinary hours of work for Directors of Nursing shall be 38 per week and shall not, without payment of overtime at the rate of time and one-half, exceed:
- (a) 43 hours in any week; or
- (b) 86 hours in any fortnight; or
- (c) 129 hours in any 21 consecutive days; or
- (d) 172 hours in any 28 consecutive days.
- (vi) An employee required to work overtime following on the completion of his or her normal shift for more than two hours shall be allowed 20 minutes for the partaking of a meal and a further 20 minutes after each subsequent four hours overtime; all such time shall be counted as time worked, provided that the benefits of this subclause shall not apply to an employee employed pursuant to Part I of clause 21, Part-time, Casual and Temporary Employees, until the expiration of the normal shift for a majority of the full-time employees employed on that shift in the ward or section concerned.
- (vii) An employee recalled to work overtime after leaving the employer's premises and who is required to work for more than four hours shall be allowed 20 minutes for the partaking of a meal and a further 20 minutes after each subsequent four hours' overtime; all such time shall be counted as time worked.
- (viii) The meals referred to in subclauses (vi) and (vii) of this clause shall be allowed to the employee free of charge. Where the facility is unable to provide such meals, the sum per meal set out Item 16 of Table 2 shall be paid to the employee concerned.
- (ix) Where an employee is required to work an overtime shift on his or her rostered day off, the appropriate meal breaks for that shift, as prescribed by clause 2, Hours of Work and Free Time of Employees other than Directors of Nursing, shall apply.
- (x) Employees who work so much overtime:
- (a) between the termination of their ordinary work on any day or shift and the commencement of their ordinary work on the next day or shift that they have not had at least eight consecutive hours off duty between these times; or

- (b) on a Saturday, a Sunday or a public holiday, not being ordinary working days, or on a rostered day off without having had eight consecutive hours off duty in the 24 hours preceding the ordinary commencing time on the next ordinary day or shift,
- shall, subject to this subclause, be released after completion of such overtime until they have had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence. If on the instruction of the employer such an employee resumes or continues to work without having such eight consecutive hours off duty, they shall be paid at double time of the appropriate rate applicable on such day until they are released from duty for such period and they then shall be entitled to be absent until they have had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (xi) An employee recalled to work overtime after leaving the employer's premises shall be paid for a minimum of four hours work at the appropriate rate for each time so recalled. If the work required is completed in less than four hours, the employee shall be released from duty; provided that this subclause does not apply to a Director of Nursing.
- (xii) By agreement between the employee and employer, an employee may be compensated by way of time off in lieu of payment of overtime on the following basis:
- (a) Time off in lieu of overtime must be taken at ordinary rates within three months of it being accrued.
- (b) Where it is not possible for a nurse to take the time off in lieu of overtime within the three-month period, it is to be paid out at the appropriate overtime rate based on the rates of pay applying at the time payment is made.
- (c) Nurses cannot be compelled to take time off in lieu of overtime.
- (d) Time off in lieu of overtime should only be considered as an option in those circumstances where the employer is able to provide adequate replacement staff to ensure that the level of the quality of service that would otherwise have been provided had the overtime been worked, is in fact provided.
- (e) Records of all time off in lieu of overtime owing to nurses and taken by nurses must be maintained by the employer.

19. Payment and Particulars of Salaries

- (i) All salaries and other payments shall be paid weekly or fortnightly, provided that payment for any overtime worked may be deferred to the pay day next following the completion of the working cycle within which such overtime is worked, but for no longer; provided further that the payment of shift and weekend penalties relating to work performed in the second week of a fortnightly roster period may be deferred to the pay day next following the completion of the working cycle within which such shifts were worked, but for no longer. Provided further that, for the purpose of adjustments of wages related to variations in the basic wage, the pay period shall be deemed to be weekly.
- (ii) Employees shall have their salary paid into one account with a bank or other financial institution in New South Wales as nominated by the employee. Salaries shall be deposited by facilities in sufficient time to ensure that wages are available for withdrawal by employees by no later than pay day, provided that this requirement shall not apply where employees nominate accounts with non-bank financial institutions; but in such cases facilities shall take all reasonable steps to ensure that the wages of such employees are available for withdrawal by no later than pay day.
- (iii) Notwithstanding the provisions of subclause (ii) of this clause, an employee who has given or has been given the required notice of termination of employment, in accordance with clause 36, Termination of Employment, shall be paid all moneys due to him/her prior to ceasing duty on the last day of employment.

Where an employee is summarily dismissed or his/her services are terminated without due notice, any moneys due to him/her shall be paid as soon as possible after such dismissal or termination, but in any case not more than three days thereafter.

- (iv) On each pay day an employee, in respect of the payment then due, shall be furnished with a written statement containing the following particulars, namely: name, the amount of ordinary salary, the total number of hours or overtime worked, if any, the amount of any overtime payment, the amount of any other moneys paid and the purpose for which they are paid, the amount of the deductions made from the total earnings and the nature thereof.

20. Proportion

Except in cases of emergency, not more than four enrolled nurses and/or assistants in nursing to each registered nurse shall be employed in a facility and for this purpose a Director of Nursing who is a registered nurse shall count; provided that the proportions specified by this clause may be altered in respect of any particular facility by agreement between the facility concerned and the New South Wales Nurses' Association.

21. Part-Time, Casual and Temporary Employees

PART I - PERMANENT PART-TIME EMPLOYEES

- (i) A permanent part-time employee is one who is permanently appointed by a facility to work a specified number of hours which are less than those prescribed for a full-time employee. By agreement between employer and employee, the specified number of hours may be balanced over a week and/or a fortnightly period, provided that the average weekly hours shall be deemed to be the specified number of hours for the purposes of accrual of annual leave, long service leave and sick leave. Provided further that there shall be no interruption to the continuity of employment merely by reason of an employee working on a "week on, week off" basis in accordance with this subclause.
- (ii) Employees engaged under Part I of this clause shall be paid an hourly rate calculated on the basis of one thirty-eighth of the appropriate rate prescribed by clause 6, Salaries, and where applicable, one thirty-eighth of the appropriate allowance or allowances prescribed by clause 10, Special Allowances, with a minimum payment of two hours for each start, and one thirty-eighth of the appropriate allowances prescribed by clause 16, Uniform and Laundry Allowance, but shall not be entitled to an additional day off or part thereof as prescribed by subclauses (iii) and (v) of clause 2, Hours of Work and Free Time of Employees Other than Directors of Nursing.
- (iii) Four weeks annual leave on ordinary pay is to be granted on completion of each 12 months' service. The provisions of subclauses (iii) to (ix) of clause 22, Annual Leave, and clause 23, Annual Leave Loading, shall apply to employees engaged under this Part of this clause. The remaining provisions of the said clause 22 shall not apply.

Where an employee has any period of permanent part-time employment during any 12 month qualifying period for annual leave, payment for such annual leave shall be calculated on the basis of the proportion that the average number of hours worked each week bears to 38.

- (iv) A public holiday occurring on an ordinary working day shall be allowed to employees without loss of pay; provided that an employee who is required to and does work on a public holiday shall have one day or one half day, as appropriate, added to his/her period of annual leave and be paid at the rate of one half time extra for the time actually worked. Such payment is in lieu of any additional rate for shift work or weekend work which would otherwise be payable had the day not been a public holiday. In lieu of adding to annual leave under this paragraph, an employee may elect to be paid for the time actually worked at the rate of time and one-half in addition to his/her ordinary weekly rate. Such election shall be made on the commencement of employment and then on the anniversary date each year. The employee may not alter such election during the year except with the agreement of the employer. Where payment is made in lieu of leave in respect of time worked on a public holiday, payment shall be made for a minimum of four hours work, and any balance of the day or shift not worked shall be paid at ordinary rates.

- (v) To the leave prescribed by subclause (iii) of this Part of this clause there shall be added one working day for each public holiday or one half working day for each half public holiday which occurs on what would have been an ordinary working day during a period of annual leave.
- (vi) For the purpose of this Part of this clause, the following are to be public holidays, namely: New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, local Labour Day, Christmas Day, Boxing Day and any other day duly proclaimed and observed as a public holiday within the area in which the facility is situated.
- (vii) In addition to those public holidays prescribed in subclause (vi) of this Part I of this clause, there shall be an extra public holiday each year. Such public holiday will occur on the August Bank Holiday or a date which is agreed upon by the Association and the Aged & Community Services Association of NSW & ACT Incorporated and the Australian Nursing Homes and Extended Care Association (New South Wales). The foregoing does not apply in areas where, in each year:
 - (a) a day in addition to the ten named public holidays specified in subclause (vi) of this Part of this clause are proclaimed and observed as a public holiday; or
 - (b) two half days in addition to the ten named public holidays specified in the said subclause (vi) are proclaimed and observed as half public holidays.
- (viii) In areas where in each year one half day in addition to the ten named public holidays specified in the said subclause (vi) is proclaimed and observed as a half public holiday, for the purposes of this award the whole day is to be regarded and observed as a public holiday, and no additional public holiday which would otherwise apply as a result of this subclause will be observed.
- (ix) Employees engaged under this Part of this clause shall be entitled to all other benefits of this award not otherwise expressly provided for herein in the same proportion as their ordinary hours of work bear to full-time hours.

PART II - CASUAL EMPLOYEES

- (i) A casual employee is one engaged on an hourly basis otherwise than as a permanent part-time or full-time employee.
- (ii) A casual employee shall be paid an hourly rate calculated on the basis of one thirty-eighth of the appropriate rate prescribed by clause 6, Salaries, and, where applicable, one thirty-eighth of the appropriate allowance or allowances prescribed by clause 10, Special Allowances, plus ten per cent thereof, with a minimum payment of two hours for each start, and one thirty-eighth of the appropriate allowances prescribed by clause 16, Uniform and Laundry Allowance.
- (iii) With respect to a casual employee, the provisions of clause 3, Hours of Work and Free Time of Directors of Nursing; clause 5, Rosters; clause 13, Expense Allowance for Directors of Nursing; clause 18, Overtime; clause 22, Annual Leave; clause 23, Annual Leave Loading; clause 24, Sick Leave; clause 25, Long Service Leave; clause 26, Compassionate Leave; clause 32, Deputy Director of Nursing and Assistant Director of Nursing; clause 34, Fares and Expenses, shall not apply. Further, casual employees shall not be entitled to an additional day off or part thereof as prescribed by subclauses (iii) and (v) of clause 2, Hours of Work and Free Time of Employees Other than Directors of Nursing.
- (iv) For the entitlement to payment in respect of annual leave, see *Annual Holidays Act 1944*.
- (v) For the entitlement to payment in respect of long service leave, see *Long Service Leave Act 1955*.
- (vi) A casual employee who is required to and does work on a public holiday as defined in subclauses (i) and (ii) of clause 15, Public Holidays, shall be paid for the time actually worked at the rate of double time and one-half, such payment being in lieu of weekend or shift allowances which would otherwise be payable had the day not been a public holiday; provided that a casual employee shall not be entitled to be paid, in addition, the allowance of ten per cent prescribed in subclause (ii) of this Part in respect of such work.

PART III - TEMPORARY EMPLOYEES

- (i) A temporary employee is one engaged for a set period not exceeding 13 weeks, provided that fixed term contracts of employment, whether for periods greater or lesser than 13 weeks, must not be offered in preference to ongoing contracts unless they are necessary to meet the genuine operational requirements of the employer, which may include but not be limited to parental leave, limited term funding arrangements, long term leave relief, forthcoming service reductions, and anticipated peak demand times
- (ii) A temporary employee shall be paid, in addition to all rates and allowances to which the said employee is entitled under this award, an allowance equal to ten per cent of the rates prescribed for his or her classification by clause 6, Salaries, provided that this subclause shall cease to apply upon:
 - (a) the said period of engagement being extended after the said period of 13 weeks;
 - (b) the employer and the employee agreeing during the said period of 13 weeks that the employee shall be employed on a permanent part-time or full-time basis.
- (iii) For entitlement to payment in respect of annual leave, see *Annual Holidays Act 1944*.

22. Annual Leave

- (i) Annual leave on full pay is to be granted on completion of each 12 months service as follows:
 - (a) Employees required to work on a seven-day basis - six weeks annual leave.
 - (b) All other employees - four weeks annual leave.
- (ii)
 - (a) An employee to whom paragraph (a) of subclause (i) of this clause applies and who is required to and does work on a public holiday shall be paid, in addition to the appropriate ordinary weekly rate of pay, at the rate of one half time extra for the time actually worked on such holiday. Such payment shall be in lieu of any additional rate for shift work or weekend work which would otherwise be payable had the day not been a public holiday.
 - (b) To the leave prescribed by paragraph (a) of subclause (i) there shall be added one working day or one half working day for each special public holiday or half public holiday, not being one of the ten specifically named public holidays prescribed by subclause (i) of clause 15, Public Holidays (or a special day proclaimed in lieu of any of them) which may occur during the qualifying period for annual leave or during the period of annual leave.
 - (c) To the leave prescribed by paragraph (b) of subclause (i) of this clause there shall be added one working day or one half working day for each public holiday or half public holiday which occurs on what would have been an ordinary working day during a period of annual leave; provided that in the case of a full-time shift worker the provisions of this paragraph shall apply to any public holiday falling during the period of annual leave.
- (iii)
 - (a) An employee shall be eligible for annual leave when 12 months have elapsed since the date on which the first annual leave would have begun if taken immediately it had become due or, if the employee has not previously had annual leave, since the commencement of employment.
 - (b) Credit of time towards an allocated day off duty shall not accrue when an employee is absent in accordance with subclause (i) of this clause. Employees entitled to allocated days off duty in accordance with clause 2, Hours of Work and Free Time of Employees Other Than Directors of Nursing, shall accrue credit towards an allocated day off duty in respect of each day those employees are absent on additional annual leave in accordance with paragraph (b) of subclause (ii) of this clause and paragraph (a) of subclause (iii) of clause 15, Public Holidays.

- (iv) Annual leave shall be given and taken either in one consecutive period or two periods or, if the employer and employee so agree, in either three or four separate periods but not otherwise. Provided that no employee shall be compelled to take annual leave in periods of less than one week in place of any other leave provided for by this award.
- (v)
- (a) Annual leave shall be given and shall be taken within a period of six months after the date when the right to annual leave accrued; provided that the giving and taking of such leave may be postponed by mutual agreement between the parties for a further period not exceeding six months.
- (b) Nothing in this subclause shall prevent an employer by agreement with the employee from allowing annual leave to an employee before the right thereto has accrued, but where leave is taken in such a case a further period of annual leave will not commence to accrue until the expiration of the 12 months in respect of which annual leave was taken before it accrued.
- (c) The employer shall give each employee, where practicable, three months notice of the date upon which he or she shall enter upon leave and, in any event, such notice shall not be less than 28 days.
- (vi)
- (a) Each employee before going on leave shall be paid for the period of the leave at the ordinary rate of salary to which he or she is entitled under this award. Where an employee has any period of permanent part-time employment during any 12-month qualifying period for annual leave, payment for such annual leave shall be calculated on the basis of the proportion that the average number of hours worked each week bears to 38.
- (b) An employee to whom paragraph (a) of subclause (i) applies shall be paid during the first 28 consecutive days while on annual leave his or her ordinary rate of salary plus shift allowances and weekend penalties relating to ordinary time the employee would have worked if he or she had not been on annual leave. Additional annual leave accrued under subclause (ix) attracts shift allowances and weekend penalties relating to ordinary time the employee would have worked if he or she had not been on annual leave. Provided that the provisions of the preceding paragraphs of this subclause shall not apply to public holidays which occur during a period of annual leave or days which have been added to annual leave in accordance with paragraph (b) of subclause (ii) of this clause and subclause (ii) of clause 15, Public Holidays.
- (vii) Except as provided in subclauses (viii) and (ix) of this clause, payment for annual leave shall not be made or accepted in lieu of annual leave.
- (viii) Where the employment of an employee is terminated, the employee shall be entitled to receive, in addition to all other amounts due, in respect of service of less than one year an amount equal to one-twelfth (6/46 in respect of employees rostered to work on a seven-day basis) of his or her ordinary pay for that period of employment, together with payment for any days added to annual leave in accordance with subclause (iii) of the said clause 15.
- (ix)
- (a) In addition to the leave prescribed by subclause (i) of this clause, employees who work their ordinary hours on Sundays and/or public holidays prescribed by clause 15 are entitled to receive additional annual leave as follows:

Number of ordinary shifts worked on Sundays and/or public holidays during a qualifying period of employment for annual leave purposes -

4 to 10	1 day's additional annual leave
11 to 17	2 days additional annual leave
18 to 24	3 days additional annual leave
25 to 31	4 days additional annual leave
32 or more	5 days additional annual leave

Provided that an employee may elect to be paid when proceeding on annual leave an amount equivalent to the value of his or her additional leave entitlement in lieu of taking the additional leave. Such election is to be made in writing by the employee at the commencement of each year of employment and is irrevocable during the currency of that year of employment.

- (b) On termination of employment, employees are to be paid for any untaken annual leave due under this subclause, together with payment for any leave in respect of an uncompleted year of employment calculated in accordance with this subclause, together with payment for any untaken annual leave due in accordance with subclause (viii) of this clause.
- (c) Permanent part-time employees shall be entitled to the benefits of this subclause in the same proportion as their average weekly hours of work bear to full-time hours.

23. Annual Leave Loading

- (i) Before an employee is given and takes his or her annual holiday or where, by agreement between the employer and the employee, the annual holiday is given and taken in more than one separate period, then before each of such separate periods the employer shall pay the employee a loading determined in accordance with this clause.
- (ii) The loading is payable in addition to the pay for the period of holiday given and taken and due to the employee under paragraph (b) of subclause (i) and paragraph (c) of subclause (ii) of clause 22, Annual Leave, or in the case of permanent part-time employees, for the period of holiday given and taken and due to the employee in accordance with the provisions of the *Annual Holidays Act, 1944*.
- (iii) The loading is the amount payable for the period or the separate periods, as the case may be, at the rate per week of 17½ per cent of the appropriate ordinary weekly time rate of pay prescribed by this award for the classification in which the employee was employed immediately before commencing his/her annual holiday, together with any allowances prescribed by subclauses (i) and (ii) of clause 10, Special Allowances.
- (iv) No loading is payable to an employee who takes an annual holiday wholly or partly in advance; provided that, if the employment of such an employee continues until the day when the employee would have become entitled under the said clause 22 to an annual holiday, the loading then becomes payable in respect of the period of such holiday and is to be calculated in accordance with subclause (iii) of this clause, applying the award rates and wages payable on that day.
- (v)
 - (a) When the employment of an employee is terminated by the employer for a cause other than misconduct, and at the time of the termination the employee has not been given and has not taken the whole of an annual holiday to which the employee became entitled, he/she shall be paid a loading calculated in accordance with subclause (iii) of this clause for the period not taken.
 - (b) Except as provided by paragraph (a) of this subclause, no loading is payable on the termination of an employee's employment.
- (vi) This clause extends to an employee who is given and takes an annual holiday and who would have worked as a shift worker if she/he had not been on holidays; provided that, if the amount to which the employee would have been entitled by way of shift work allowances and weekend

penalty rates for the ordinary time (not including time on a public or special holiday) which the employee would have worked during the period of the holiday exceeds the loading calculated in accordance with this clause, then that amount shall be paid to the employee in lieu of the loading.

24. Sick Leave

- (i) Subject to the following limitations and conditions, an employee shall be entitled to sick leave on full pay calculated by allowing 76 rostered ordinary hours of work for each year of continuous service, less any sick leave on full pay already taken.
 - (a) An employee during his/her first year of employment with an employer shall be entitled to sick leave at the rate of 7.6 hours at the end of each of the first five months continuous service. Upon completion of six months continuous service the employee shall be entitled to a further 38 hours sick leave. For the purpose of this subclause, where service is continuous, each new entitlement will accrue at the monthly anniversary date of the commencement of employment, i.e., a person starting on 6 March would be entitled to their first 7.6 hours on 6 April.
 - (b) An employee shall not be entitled to sick leave on full pay for any period in respect of which such employee is entitled to workers' compensation; provided, however, that an employer shall pay to an employee who has sick leave entitlement under this clause, the difference between the amount received as workers' compensation and full pay. The employee's sick leave entitlement under this clause shall, for each week during which such difference is paid, be reduced by that proportion of 38 hours which the difference paid bears to full pay.
 - (c) All periods of sickness shall be certified to by the Director of Nursing of the facility or by the employee's own legally qualified medical practitioner. The employer may dispense with the requirements of a medical certificate when the absence does not exceed two consecutive days or where, in the employer's opinion, the circumstances are such as not to warrant such requirement.
 - (d) Each employee shall notify her/his employer of an absence from work due to illness or injury prior to the commencement of her/his rostered shift or as soon as practicable thereafter and shall, as far as possible, inform the employer of the estimated duration of the absence.
 - (e) For the purpose of determining a full-time employee's sick leave credit as at 19 September 1986, sick leave entitlement shall be proportioned on the basis of 76:80.
- (ii) The employer shall not change the rostered hours of work of an employee fixed by the roster or rosters applicable to the 14 days immediately following the commencement of sick leave merely by reason of the fact that she or he is on sick leave.
- (iii) For the purpose of this clause, "service" means - service in the employment of an employer.
- (iv) For the purpose of this clause, continuity of service in the employment shall not be broken by:
 - (a) absences from such employment on account of illness;
 - (b) absences from such employment for the purposes of pursuing a post-graduate course in nursing (i.e. a course which results in obtaining a certificate, diploma or qualifications whether in Australia or elsewhere) and where the course is pursued outside Australia an employee shall be deemed to be absent for the purpose of pursuing the course throughout the time reasonably occupied travelling to the place of study and return to Australia, the actual duration of the course, a period of three months after completion of the course before returning to Australia and a period of one month after returning to Australia, provided that subclauses (iii) and (iv) shall only apply to persons employed in facilities conducted by members of the Aged & Community Services Association of NSW & ACT Incorporated.
- (v) Permanent Part-time Employees - A permanent part-time employee shall be entitled to sick leave in the same proportion of 76 hours as the average weekly hours worked over the preceding 12 months or from

the time of commencement of employment, whichever is the lesser, bears to 38 ordinary hours. Such entitlements shall be subject to all the above conditions applying to full-time employees.

- (vi) With respect to an employee who is eligible for sick leave and who produces a satisfactory medical certificate to the effect that he/she has been incapacitated for a period of at least one week's duration while on annual leave, the employer may re-credit such employee with an equivalent period of annual leave, provided that no such re-crediting shall be granted to an employee on leave prior to retirement, resignation or termination of services and provided further the employer is satisfied on the circumstances and the nature of the incapacity.
- (vii) Subject to the provision of a satisfactory medical certificate and sick leave being due, extended or long service leave shall be re-credited where an illness of at least one week's duration occurs during the period of extended or long service leave; provided that the period of leave does not occur prior to retirement, resignation or termination of services.

25. Long Service Leave

- (i) For long service leave falling due prior to 20 February 1981, see *Long Service Leave Act 1955*.
- (ii) For long service leave falling due after 20 February 1981, the following provisions shall apply:

(a)

- (1) Every employee after ten years' continuous service with the same employer shall be entitled to two months' long service leave on full pay; after 15 years' continuous service to an additional one month's long service leave on full pay; and for each five years' continuous service thereafter to an additional one and one-half months' long service leave on full pay.

Such leave shall be taken at a time to be mutually arranged between the employer and the employee as soon as practicable after each period of leave falls due, having regard to the reasonable preferences of each party. Where required by the employer, the term "as soon as practicable" shall mean that leave is taken by the employee within 12 months of the date that the leave falls due. The leave is to be taken in one continuous period unless the employer and employee agree otherwise.

Notwithstanding anything contained elsewhere in this clause, an employer and an employee may mutually agree that the taking of the leave be deferred beyond the initial twelve months referred to above. In such a case the employer and employee may agree that the employee shall be paid for that leave at the rate of pay applicable at the time of the agreement to further postpone the leave, and not at the rate of pay applicable at the time that the leave is taken. For any such agreement to be valid, it must be in writing and be signed by both the employer and the employee.

- (2) Where the service of an employee with at least five years' service is terminated, the employee shall be entitled to long service leave as follows:

For the first five years' service - one month.

For the next ten years' service - a proportionate amount calculated on the basis of one month for each additional five years. For the purpose of calculation, each completed whole month of continuous service gives an entitlement equal to 0.0722 weeks' pay.

For all subsequent service - a proportionate amount calculated on the basis of 1.5 months for each additional five years. For the purpose of calculation, each completed whole year of continuous service gives an entitlement equal to 1.2996 weeks' pay.

- (b) Subject to subclause (a) of this clause, where an employee has acquired a right to long service leave, then:
- (1) If, before such leave has been entered upon, the employment of such employee has been terminated, such employee shall be entitled to receive the monetary value of the leave to which such employee has become entitled, computed at the rate of salary which such employee had been receiving immediately prior to the termination of employment.
 - (2) If such employee dies before entering upon such extended leave, or if, after having entered upon the same, dies before its termination, his/her widow/widower or, in the case of a widow/widower leaving children, his/her children or their guardians or other dependent relatives or their legal representatives, shall be entitled to receive the monetary value of the leave not taken or not completed, as the case may be, and computed at the rate of salary which the employee had been receiving at the time of death.
- (c) For the purpose of this clause:
- (1) Continuous service in the same facility prior to the coming into force of this award shall be taken into account.
 - (2) One month equals four and one-third weeks.
 - (3) Continuous service shall be deemed not to have been broken by:
 - (A) absence of an employee from the facility while a member of the Defence Forces of the Commonwealth in time of war;
 - (B) any period of absence on leave without pay not exceeding six months.
- (d) Where any employee has been granted a period of long service leave prior to the coming into force of this award, the amount of such leave shall be debited against the amount of leave due under this award.
- (e) Except where the total actual service is less than five years -
- (1) all service in facilities to which subclause (i) of clause 11, Climatic and Isolation Allowance, applies shall be counted as one and one-half times the actual time served;
 - (2) all service in a facility to which subclause (ii) of the said clause 11 applies shall be counted as twice the actual time served.
- (f) Any period(s) of part-time employment with the same employer shall count towards long service leave as provided for in paragraphs (a) and (e) of this subclause. Such long service leave shall be paid for on the basis of the proportion that the average number of hours worked per week bears to 38.
- (g) Where an employee has accrued a right to an allocated day off duty on pay prior to entering a period of long service leave, such day shall be taken on the next working day immediately following the period of long service leave.

An employee returning to duty from long service leave shall be given the next allocated day off duty in sequence, irrespective of whether sufficient credits have been accumulated or not.

26. Compassionate Leave

- (i) In general, compassionate leave with pay should be granted only in extraordinary or emergent circumstances where a member of the staff of a facility is forced to absent himself/herself from duty because of urgent pressing necessity, and such leave as is granted should be limited to the time necessary to cover the immediate emergency.

- (ii) Any absence occasioned by personal exigencies which might fairly be regarded as an obligation on the employee rather than the employer to make good, should be covered by the grant of leave without pay or, if the employee so desires, charged against his/her annual leave credit.
- (iii) The following basic principles should be kept in mind when dealing with applications:
 - (a)
 - (i) An employee, other than a casual employee, shall be entitled to a maximum of two days compassionate leave without deduction of pay, on each occasion of the death of a person as prescribed in subparagraph (iii) of this paragraph. Provided that, where the employee is involved in funeral arrangements, travelling, etc., leave may be allowed for up to three days.
 - (ii) The employee must notify the employer as soon as practicable of the intention to take compassionate leave and will, if required by the employer, provide, to the satisfaction of the employer, proof of death.
 - (iii) Compassionate leave shall be available to the employee in respect to the death of a person prescribed for the purposes of personal/carer's leave as set out in subparagraph (ii) of paragraph (c) of subclause (1) of clause 27, Personal/Carer's Leave, provided that, for the purpose of compassionate leave, the employee need not have been responsible for the care of the person concerned.
 - (iv) An employee shall not be entitled to compassionate leave under this clause during any period in respect of which the employee has been granted other leave.
 - (v) Compassionate leave may be taken in conjunction with other leave available under subclauses (2), (3), (4), (5) and (6) of the said clause 27. In determining such a request, the employer will give consideration to the circumstances of the employee and the reasonable operational requirements of the business.
 - (b) Illnesses in the family - Except in very special circumstances, leave with pay should be limited to one day which, as a general rule, would prove sufficient time to meet the immediate emergency and allow the employee to make any other arrangements necessary. It would be expected that no one but the employee would be available to care for the sick member of the family.
- (iv) The above principles are not intended to codify completely purposes for which compassionate leave with pay may be allowed. The element of unforeseen emergency could be present in other situations, e.g., floods and bushfires, which clearly prevent attendance for duty.
- (v) In view of the purpose for which compassionate leave is intended, it is not possible to prescribe a precise limitation of the amount of leave to be granted in a given period. It is suggested, however, that only under the most exceptional circumstances should leave exceeding a total of three days be granted to an employee in any year.

27. Personal/Carer's Leave

- (1) Use of Sick Leave
 - (a) An employee, other than a casual employee, with responsibilities in relation to a class of person set out in subparagraph (ii) of paragraph (c), who needs the employee's care and support, shall be entitled to use, in accordance with this subclause, any current or accrued sick leave entitlement, provided for in clause 24, Sick Leave, for absences to provide care and support for such persons when they are ill. Such leave may be taken for part of a single day.

- (b) The employee shall, if required, establish, either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person. In normal circumstances, an employee must not take carer's leave under this subclause where another person has taken leave to care for the same person.
- (c) The entitlement to use sick leave in accordance with this subclause is subject to:
- (i) the employee being responsible for the care and support of the person concerned; and
 - (ii) the person concerned being:
 - (A) a spouse of the employee; or
 - (B) a de facto spouse, who, in relation to a person, is a person of the opposite sex to the first mentioned person who lives with the first mentioned person as the husband or wife of that person on a bona fide domestic basis although not legally married to that person; or
 - (C) a child or an adult child (including an adopted child, a step child, a foster child or an ex nuptial child), parent (including a foster parent and legal guardian), grandparent, grandchild or sibling of the employee or spouse or de facto spouse of the employee; or
 - (D) a same sex partner who lives with the employee as the de facto partner of that employee on a bona fide domestic basis; or
 - (E) a relative of the employee who is a member of the same household where, for the purposes of this subparagraph:
 - (1) "relative" means - a person related by blood, marriage or affinity;
 - (2) "affinity" means - a relationship that one spouse because of marriage has to blood relatives of the other; and
 - (3) "household" means - a family group living in the same domestic dwelling.
- (d) An employee shall, wherever practicable, give the employer notice, prior to the absence, of the intention to take leave, the name of the person requiring care and that person's relationship to the employee, the reasons for taking such leave and the estimated length of absence. If it is not practicable for the employee to give prior notice of absence, the employee shall notify the employer by telephone of such absence at the first opportunity on the day of absence.
- (2) Unpaid Leave for Family Purpose
- (a) An employee may elect, with the consent of the employer, to take unpaid leave for the purpose of providing care and support to a member of a class of person set out in subparagraph (ii) of paragraph (c) of subclause (1) who is ill.
- (3) Annual Leave
- (a) An employee may elect, with the consent of the employer, subject to the *Annual Holidays Act 1944*, to take annual leave not exceeding five days in single day periods, or part thereof, in any calendar year at a time or times agreed by the parties.
 - (b) Access to annual leave, as prescribed in paragraph (a) of this subclause, shall be exclusive of any shutdown period provided for elsewhere under this award.
 - (c) An employee and employer may agree to defer payment of the annual leave loading in respect of single day absences, until at least five consecutive annual leave days are taken.

- (4) Time Off in Lieu of Payment for Overtime
- (a) For the purpose only of providing care and support for a person in accordance with subclause (1) of this clause, and despite the provisions of subclause (xii) of clause 18, Overtime, the following provisions shall apply.
 - (b) An employee may elect, with the consent of the employer, to take time off in lieu of payment for overtime at a time or times agreed with the employer within 12 months of the said election.
 - (c) Overtime taken as time off during ordinary time hours shall be taken at the ordinary time rate, that is, an hour for each hour worked.
 - (d) If, having elected to take time as leave in accordance with paragraph (a) of this subclause, the leave is not taken for whatever reason, payment for time accrued at overtime rates shall be made at the expiry of the 12-month period or on termination.
 - (e) Where no election is made in accordance with the said paragraph (a), the employee shall be paid overtime rates in accordance with the award.
- (5) Make-up Time
- (a) An employee may elect, with the consent of the employer, to work "make-up time", under which the employee takes time off ordinary hours and works those hours at a later time, during the spread of ordinary hours provided in the award, at the ordinary rate of pay.
 - (b) An employee on shift work may elect, with the consent of the employer, to work "make-up time" (under which the employee takes time off ordinary hours and works those hours at a later time), at the shift work rate which would have been applicable to the hours taken off.
- (6) Additional Rostered Days Off
- (a) An employee may elect, with the consent of the employer, to take a rostered day off at any time.
 - (b) An employee may elect, with the consent of the employer, to take rostered days off in part day amounts.
 - (c) An employee may elect, with the consent of the employer, to accrue some or all rostered days off for the purpose of creating a bank to be drawn upon at a time mutually agreed between the employer and employee, or subject to reasonable notice by the employee or the employer.
 - (d) This subclause is subject to the employer informing each union which is both party to the award and which has members employed at the particular enterprise of its intention to introduce an enterprise system of RDO flexibility, and providing a reasonable opportunity for the union(s) to participate in negotiations.
- (7) The provisions of this clause will have no application to employees of bodies established by the Catholic Church to propagate religion.

28. Staff Amenities

- (i)
- (a) The employer shall provide for the use of employees:
 - (1) toilet facilities; provided that this provision shall not apply to a facility the registered number of beds of which is less than nine;
 - (2) a full-length locker fitted with lock and key or other suitable place for the safe keeping of clothing and personal effects of such employee.

- (b) An employer shall provide for employees morning and afternoon tea, supper and early morning tea (which shall include tea or coffee, together with milk and sugar).
 - (c) Where an employee requests, the employer shall provide an employee with meals of a reasonable standard. The employer may make a charge, provided that the charge for breakfast shall be the sum set out in Item 17 of Table 2 - Other Rates and Allowances, of Part B, Monetary Rates, and the sum set out in Item 18 of the said Table 2 for other meals.
- (ii) The charges referred to in subclause (i) of this clause are to be adjusted in accordance with the movement in wage rates following State Wage Case decisions. The employers are entitled to set prices for meals at a level to cover labour and ingredient costs (not indirect costs).

29. Labour Flexibility

- (i) Nurses shall not be required to perform as a matter of routine duties: washing, sweeping, polishing and/or dusting of floors, walls, windows, corridors, annexes, bathrooms or verandas, except in an emergency.
- (ii) Nothing in subclause (i) of this clause shall preclude the employment of nurses in the washing of beds, bedspreads, mattresses, bedside tables or the like, following the discharge of a patient suffering a notifiable infectious disease.
- (iii) Nothing in subclause (i) of this clause shall preclude any nurse from being required to perform all or any of the specified duties, at any time when domestic staff is not available to perform them; provided that the employer has made all reasonable efforts to obtain domestic staff.
- (iv) Subject to subclause (i) of this clause, an employer may direct a nurse to carry out such duties as are within the limits of the nurse's skill, competence and training. Such duties may include work which is incidental or peripheral to the nurse's main tasks, provided that such duties are not designed to promote deskilling.

Any employer may direct a nurse to carry out duties and use such equipment as may be required, provided that the nurse has been properly trained or has otherwise acquired the necessary skills in the use of such equipment. Any such direction issued by the employer shall be consistent with the employer's responsibility to provide a safe and healthy working environment for nurses and the employer's duty of care to residents.

- (v) Assistants in Nursing may be employed under this award to perform mixed functions, provided that:
- (a) The primary duties performed by the Assistant in Nursing, being the delivery of direct care to residents, occupy no less than the majority of the hours for which they are employed in any 28 day cycle.
 - (b) The Assistant in Nursing shall be paid at the appropriate rate for an Assistant in Nursing for all work performed for their employer in that classification.
 - (c) An Assistant in Nursing shall not be required to perform mixed functions where the employer does not provide adequate staff to ensure that the level of the quality of the service that would have otherwise been provided if the Assistant in Nursing did not perform mixed functions, is in fact provided.
 - (d) Subject to paragraph (a) of this subclause, an Assistant in Nursing may perform duties associated with a resident's well being and comfort, including functions of a laundry, kitchen or other personal support nature.

30. Medical Examination of Nurses

On commencement of employment the employee shall be notified of the availability of the following provisions, which the employer shall provide at the request of the employee:

- (i) For protection against tuberculosis:
 - (a) Before a nurse commences duty, a PA chest x-ray examination of the nurse, unless a radiologist's report of a normal chest x-ray taken within the previous six months is available.
 - (b) As soon as practicable after the nurse commences duty, a Mantoux test on the nurse, then -
 - (i) where the Mantoux test is negative, immunisation with BCG vaccine;
 - (ii) where the Mantoux test is positive (otherwise than as a result of BCG vaccination), referral to a chest clinic for assessment.
 - (c) A Mantoux test annually to -
 - (i) previously Mantoux-negative nursing staff;
 - (ii) nursing staff whose Mantoux reaction has been converted by BCG vaccination.
 - (d) A chest x-ray annually to nursing staff whose Mantoux reaction is positive (otherwise than as a result of BCG vaccination).
 - (e) Where a nurse has been caring for open tuberculosis cases, a PA chest x-ray examination of the nurse one year after completion of employment.
- (ii) For protection against other communicable diseases:
 - (a) where a nurse has not had a complete course of immunisation against diphtheria, tetanus, poliomyelitis, measles, mumps and hepatitis, immunisation against those diseases;
 - (b) booster immunisation against tetanus at ten-year intervals;
 - (c) a rubella antibody test and, where a nurse has a negative result, rubella immunisation.
- (iii) For protection against radiation exposure, nurses required to work in close proximity to a source of ionising radiation should be provided with a film badge or personal radiation dosimeter, and a record should be maintained of the radiation exposure measured by such film badge or dosimeter.
- (iv) The costs involved in the various screening and protection procedures should be borne by the employer.

31. Escort Duty

- (i) Periods during which an employee, other than a Director of Nursing, is engaged in nursing duties, viz., in attendance on a patient, shall be paid as working time under this award. Where applicable, overtime shall be payable.
- (ii) All reasonable out-of-pocket expenses shall be reimbursed.
- (iii) Rostered time shall be paid as such, even though an employee may be travelling, in hotel/motel accommodation or waiting for transport.
- (iv) In respect of non-rostered time not spent in nursing duties -
 - (a) Periods in hotel/motel accommodation or waiting for transport shall not be counted as working time.

- (b) Periods in travelling shall count as working time.

32. Deputy Director of Nursing and Assistant Director of Nursing

- (i) Subject to subclause (ii) of this clause, the following appointments shall be made in nursing homes with daily averages of occupied beds as specified hereunder:

Less than 150 beds - a Deputy Director of Nursing.

150 beds and over - a Deputy Director of Nursing and Assistant Director of Nursing.

- (ii) There is no requirement to appoint a Deputy Director of Nursing in nursing homes of 40 beds and under in the following circumstances:

- (a) the registered nurses at the nursing home are all given the same duties and no registered nurse is delegated Deputy Director of Nursing duties; and
- (b) the Director of Nursing perceives no requirement for a Deputy Director of Nursing to be employed.

Provided that no Deputy Director of Nursing employed as at 16 December 1994 shall be dismissed or demoted from that position as a result of the implementation of this subclause.

- (iii) Where a decision is made, pursuant to subclause (ii) of this clause, not to appoint a Deputy Director of Nursing, the employer shall notify the Association in writing of that decision within 14 days and must certify that the requirements of paragraphs (a) and (b) of subclause (ii) have been met.
- (iv) In the event of a dispute arising as to the operation of this clause, the procedures set out in clause 44, Resolution of Disputes, shall be followed.
- (v) Appointments under subclause (i) of this clause shall be made within two calendar months of the date this award becomes operative and thereafter within two calendar months of the occurrence of a vacancy. In default of appointment within the said period of two calendar months, the registered nurse employed as such or in a higher classification who has customarily relieved in the vacant position, or if no one has so customarily relieved, the general nurse employed in the same or the next senior classification below the vacant position with the longest service in such classification at the nursing home shall be deemed to be appointed until such time as another appointment is made by the nursing home.
- (vi) This clause shall not apply to a nursing home using members, novices or aspirants of religious orders where a member of an order carries out the duties under this clause of an Assistant Director of Nursing or Deputy Director of Nursing.
- (vii) This clause shall not apply to a nursing home which is owned by two or more registered nurses who are actively engaged as Directors of Nursing in the running of the nursing home.

33. Nursing Unit Managers

No person appointed to any level of the former classification of Nursing Unit Manager as at 1 March 1999 shall be dismissed or demoted as a result of the deletion of that classification from this award. Provided that the salary rates appearing under that classification in Table 1 - Salaries, of Part B, Monetary Rates, are to be payable, on a strictly personal basis, only to those persons appointed to such positions as at 1 March 1999.

34. Fares and Expenses

- (i) An employee required to travel in the performance of duty shall be reimbursed first class fares (including sleeper accommodation) and all reasonable out-of-pocket expenses.

- (ii)
 - (a) An employee who is engaged for an indefinite period and who remains in the employment for at least six months shall be reimbursed forward fares from the place of engagement; provided that the distance of normal travel there from to the employment exceeds 40 kilometres.
 - (b) An employee who is engaged for an indefinite period, and who is dismissed within six months for any reason other than misconduct or inefficiency, shall be reimbursed forward fares from the place of engagement, provided that the distance of normal travel there from to the employment exceeds 40 kilometres, and shall also be reimbursed return fares to such place of engagement or the employee's immediate destination, whichever is the cheaper.
- (iii) An employee who is engaged for a definite period and who completes the period of engagement or who is dismissed before completing such period for any reason other than misconduct or inefficiency, shall be reimbursed forward fares from the place of engagement, provided that the distance of normal travel there from to the employment exceeds 40 kilometres, and shall also be reimbursed return fares to such place of engagement or to the employee's immediate destination, whichever is the cheaper.
- (iv) Fares within the meaning of this clause shall include only fares incurred in respect of travel within New South Wales.
- (v) An employee who claims reimbursement of fares pursuant to this clause shall furnish to the employer, if so required, satisfactory proof that he or she has not received from another employer reimbursement in respect of those fares.

35. Registration Or Enrolment Pending

- (i) A registered nurse or enrolled nurse who has trained outside New South Wales shall be paid as a registered nurse or enrolled nurse as from the date she or he is notified that she or he is eligible for registration or enrolment as a registered nurse or enrolled nurse; provided that she or he makes application for registration within seven days after being so notified.
- (ii) He or she shall notify the employer as soon as possible after he or she has applied.

36. Termination of Employment

- (i) Except for misconduct justifying summary dismissal, the services of an employee shall be terminated only by notice as prescribed by the *Australian Workplace Relations Act 1996* (Commonwealth) or by the payment of salary in lieu thereof in the case of an employee other than a Director of Nursing and by 28 days notice or as prescribed by the *Australian Workplace Relations Act 1996* (Commonwealth), whichever is the greater, or by the payment of salary in lieu thereof in the case of a Director of Nursing, except that where the employment of a Director of Nursing is terminated within 13 weeks of her/his engagement, there shall be given 14 days notice or the payment of 14 days salary in lieu thereof.
- (ii) No employee shall, without the consent of the employer, resign without having given seven days' notice (or, in the case of a Director of Nursing, 28 days' notice) of the intention so to do or forfeiting salary earned during the pay period current at the time of resignation; provided that in no circumstances shall the employee other than the Director of Nursing forfeit more than seven days' pay and the Director of Nursing more than 28 days' pay at the rates prescribed for his or her classification by clause 6, Salaries.
- (iii) Upon the termination of the services of an employee, the employer shall furnish the employee with a written statement, duly signed by or on behalf of the employer, setting out the period of the employment and the capacity in which the employee was employed. In addition, an employer shall provide to Assistants in Nursing a statement of in-service training and/or education which the employee has undertaken.
- (iv) Employees who have accrued additional days off duty pursuant to subclause (vii) of clause 2, Hours of Work and Free Time of Employees Other Than Directors of Nursing, shall be paid for such accrued time as ordinary rate of pay upon termination.

37. Award Benefits to be Continuous

- (i) In the event of any change of ownership, licensee or management of any facility covered by this award, all employee rights and benefits provided by this award shall continue as if no such change in ownership, licensee or management had taken place, and no employee shall be dismissed for the reason of such change.

Where such changes do occur, no employee shall be paid out for accrued annual leave, long service leave or any other benefits, but such benefits shall be continuous.

- (ii) No employee, full-time or part-time, shall have their employment terminated or be required to take leave without pay where such termination or leave is used to avoid the requirements of any Act or to avoid payment of any rights or benefits provided by this award.

38. Special Provisions Relating to Trainee Enrolled Nurses

- (i) Where a trainee enrolled nurse has transferred from one training school to another, the time allowed by the Board in the first training school shall be counted in computing salary.
- (ii) A trainee enrolled nurse, who is absent from training for not more than two weeks, exclusive of annual leave, in any period of 12 months training shall, for the purpose of annual increase in salary under clause 6, Salaries, be deemed to have completed the particular year of training 12 calendar months after the commencement thereof notwithstanding such absence, but if absent for more than the aforesaid time in any such period, the particular year of training shall not be deemed to have been completed until the employee has served the actual period of excess of such time.

39. Trainee Enrolled Nurse

- (a) Objective:

The objective of this clause is to assist with the establishment of a system of traineeships for Trainee Enrolled Nurses, which provides approved training in conjunction with employment and which is to be at the same AQF level as the existing Certificate IV course.

- (b) Application:

(i) This clause applies only to the employment of Trainee Enrolled Nurses undertaking Certificate IV in Nursing whilst performing the duties of a Trainee Enrolled Nurse.

(ii) The system is neither designed nor intended for those who are already trained and job ready.

- (c) Definitions:

"Structured Training" means - training which is specified in the Training Plan, which is part of the Training Contract registered with the relevant NSW Training Authority. It includes training undertaken both on and off-the-job in a Traineeship and involves formal instruction, both theoretical and practical, and supervised practice. The training reflects the requirements of a Traineeship approved by the relevant NSW Training Authority.

"Trainee" is an individual who is signatory to a Training Contract registered with the relevant NSW Training Authority and is involved in paid work and structured training both on and off the job. A trainee can be full time, part time or school-based.

"Traineeship" means - a system of training, which has been approved by the relevant NSW Training Authority, and includes full time traineeships and part time traineeships including school-based traineeships.

"Training Contract" means - a contract entered into for the purposes of establishing a Traineeship under the *Apprenticeship and Traineeship Act 2001* (NSW).

"Training Plan" means - a programme of training which forms part of a Training Contract registered with the relevant NSW Training Authority.

"Relevant NSW Training Authority" means - the Department of Education, or successor organisation.

"School Based Trainee Enrolled Nurse" is a student enrolled in the Higher School Certificate, or equivalent qualification, who is undertaking a Traineeship which forms part of a recognised component of their HSC curriculum, and is endorsed by the relevant NSW Training Authority, NSW Board of Studies and NSW Nurses Registration Board as such.

(d) Training Conditions

- (i) The employer shall provide a level of registered nurse supervision during the traineeship period in accordance with the training contract.
- (ii) Trainee Enrolled Nurses will not be required to perform the duties of registered or enrolled nurses in the event of absenteeism. In the event that a registered or enrolled nurse needs to be replaced, existing staff including casuals will be offered the shift, or agency staff will be used.
- (iii) The employer agrees that the overall training programme will be monitored by officers of the relevant NSW Training Authority. Training records or work books may be utilised as part of this monitoring process.
- (iv) A Traineeship shall not commence until the relevant Training Contract has been signed by the employer and the trainee and lodged for registration with the relevant NSW Training Authority.

(e) Full Time, Part Time Traineeships

A full time Trainee Enrolled Nurse shall be engaged as a full-time employee for a maximum of one year's duration.

A part time Trainee Enrolled Nurse shall be engaged as a part time employee for a maximum of two years' duration.

A Trainee Enrolled Nurse who undertakes a Traineeship on a part-time basis works less than full-time ordinary hours, and shall undertake the approved training at the same or lesser training time than a full-time trainee.

(f) Employment Conditions

- (i) A Trainee Enrolled Nurse shall be subject to a satisfactory probation period of up to one month which may be reduced at the discretion of the employer.
- (ii) By agreement in writing, and with the consent of the relevant NSW Training Authority, the relevant employer and the Trainee may vary the duration of the Traineeship and the extent of approved training. Any agreement to vary shall be in accordance with the relevant Traineeship.
- (iii) Where the trainee completes the qualification in the Training Contract earlier than the time specified in the Training Contract then the Traineeship may be concluded by mutual agreement.
- (iv) A traineeship shall not be terminated before its conclusion except in accordance with the *Apprenticeship and Traineeship Act 2001*(NSW) or by mutual agreement.
- (v) An employer who chooses not to continue the employment of a Trainee upon the completion of the Traineeship shall notify, in writing, the relevant NSW Training Authority of their decision.
- (vi) The Trainee will be permitted to be absent from work without loss of continuity of employment and/or wages to attend training in accordance with the Traineeship Agreement.

- (vii) Where the employment of a Trainee by an employer is continued after the completion of the traineeship period, such employment period shall be counted as service for the purposes of this Award or any other legislative entitlement.
- (viii) The Traineeship Agreement may restrict the circumstances under which the Trainee may work overtime and shiftwork in order to ensure the training programme is successfully completed.
 - A. No Trainee Enrolled Nurses shall work overtime or shiftwork unless under the direct supervision of a registered nurse.
 - B. No Trainee Enrolled Nurse shall work shiftwork unless the parties to a Traineeship agree that such shiftwork makes satisfactory provision for structured training.
 - C. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shiftwork Trainee Enrolled Nurses.
 - D. No Trainee Enrolled Nurse shall be rostered to work a shift any less than 8 hours prior to attending off the job training requirements, or any less than 8 hours after having completed off the job training requirements.
- (ix) The Trainee Enrolled Nurse wages shall be in accordance with Table 1 - Salaries, of Part B, Monetary Rates and shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by this award.
- (x) A Trainee who fails to either complete the Traineeship or who cannot for any reason be placed in employment with the employer on successful completion of the Traineeship shall not be entitled to any severance payments
- (xi) All the terms and conditions of this award or former industrial agreements that are applicable to the Trainee Enrolled Nurse shall apply unless specifically varied by this clause.

40. Right of Entry

See Part 7 of Chapter 5 of the *Industrial Relations Act* 1996.

41. Lifting Weights

Where a weight of 57 kilograms or more is to be lifted or carried, no person shall be allowed or required to lift or carry the weight on his or her own and the weight shall be lifted or carried by two or more persons or a machine.

Provided that this clause shall only apply to persons employed in facilities conducted by members of the Aged & Community Services Association of NSW. & ACT Incorporated.

42. Attendance at Meetings and Fire Drills

- (i) Any employee required to work outside the ordinary hours of work in satisfaction of the requirements for compulsory fire safety practices (e.g., fire drill and evacuation procedures), contained from time to time within the *Nursing Homes Act* 1988 and the regulations made there under, shall be entitled to be paid the "ordinary rate" for the actual time spent in attendance at such practices. Such time spent in attendance shall not be viewed as overtime for the purposes of this award.
- (ii) Any employee required to attend Occupational Health and Safety Committee and/or Board of Management meetings in the capacity of employee representative shall, if such meetings are held outside the ordinary hours of work, be entitled to receive payment at the "ordinary rate" for the actual time spent in attendance at such meetings. Such time spent in attendance shall not be viewed as overtime for the purposes of this award.

- (iii) For the purposes of this clause, "ordinary rate" shall include amounts payable under clause 6, Salaries, subclauses (i) and (ii) of clause 10, Special Allowances, and clause 11, Climatic and Isolation Allowance, plus, where appropriate, the ten per cent loading prescribed in clause 21, Part-time, Casual and Temporary Employees, for employees engaged otherwise than as a full-time or permanent part-time employee.

43. Training for Nurses

- (i) Each employer shall provide a minimum of 12 hours of in-service training per annum to Assistants in Nursing.
- (ii) Each employer may make training available to nurses other than Assistants in Nursing.
- (iii) Each employee shall provide to their employer details of their attendance at in-service training and the employer shall keep a record of this attendance.
- (iv) Upon termination of the employee's employment the employer shall provide to the employee a written statement of the hours of in-service training attended by the employee.
- (v) Where practicable, such training shall be provided to employees during the normal rostered hours of work. Where it is not practicable to provide such training during the normal rostered hours of work then:
 - (a) Employees shall attend in-service training outside their normal rostered working hours when required to do so by the employer.
 - (b) An employer shall provide employees with two weeks notice of the requirement to attend training outside of their normal rostered working hours.
 - (c) Notwithstanding clause 18, Overtime, attendance at such training shall be paid at ordinary rates.
 - (d) Notwithstanding subclause (iv) of clause 2, Hours of Work and Free Time of Employees Other Than Directors of Nursing, attendance at such in-service training outside the normal rostered working time of an employee shall not affect the ordinary rate paid to the employee during normal rostered working time.

44. Resolution of Disputes

- (i) With a view to an amicable and speedy settlement of all disputes which cannot be resolved between the employees or their representatives and the supervising staff, such dispute shall be referred to the management of the facility, who will arrange for the matter to be discussed with the employee concerned and a representative or representatives of the Association.
- (ii) Failing settlement of the issue at this level, the matter shall be submitted to a committee consisting of not more than four members, two of whom shall be appointed by the facility concerned (and for the purpose of this subclause the facility may ask their employer organisation to assist) and two by the Association.
- (iii) Whilst these procedures are continuing, no stoppage of work or any form of ban or limitation of work shall be applied.
- (iv) The Association reserves the right to vary this procedure where it is considered a safety factor is involved.
- (v) This clause shall not interfere with the right of either party to institute proceedings for the determination of any matter in accordance with the *Industrial Relations Act 1996*.

45. Anti-Discrimination

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

NOTES -

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

"Nothing in 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".

46. Enterprise Arrangements

PART 1 - PARTIES

- (i) As part of the Structural Efficiency exercise and as an ongoing process for improvements in productivity and efficiency, discussion should take place at an enterprise to provide more flexible working arrangements, improvement in the quality of working life, enhancement of skills, training and job satisfaction, and positive assistance in the restructuring process and to encourage consultation mechanisms across the workplace to all employees in an enterprise and consideration of a single bargaining unit in all multi-union/union award workplaces. Union delegates at the place of work may be involved in such discussions.
- (ii) The terms of any proposed genuine arrangement reached between an employer and employee(s) in any enterprise shall, after due processing, substitute for the provisions of this award to the extent that they are contrary, provided that:
 - (a) A majority of employees affected genuinely agree.

- (b) Such arrangement is consistent with the current State Wage Case principles.

(iii)

- (a) Before any arrangement requiring variation to the award is signed and processed in accordance with Part 2 of this clause, details of such arrangements shall be forwarded in writing to the union or unions with members in that enterprise affected by the changes and the employer association, if any, of which the employer is a member. A union or an employer association may, within 14 days thereof, notify the employer in writing of any objection to the proposed arrangements, including the reasons for such objection.
- (b) When an objection is raised, the parties are to confer in an effort to resolve the issue.

PART 2 - PROCEDURES TO BE FOLLOWED - SUCH ENTERPRISE ARRANGEMENTS SHALL BE PROCESSED AS FOLLOWS

- (i) All employees will be provided with the current prescriptions (e.g., award, industrial agreement, enterprise agreement or enterprise arrangement) that apply at the place of work.
- (ii)
 - (a) Where an arrangement is agreed between the employer and the employees or their authorised representative at an enterprise, such arrangement shall be committed to writing.

Where the arrangement is agreed between the employer and an absolute majority of permanent employees under this award at an enterprise, such arrangement shall be committed to writing.
 - (b) The authorised representative of employees at an enterprise may include a delegate, organiser or official of the relevant union if requested to be involved by the majority of employees at the establishment.
- (iii) The arrangement shall be signed by the employer, or the employer's duly authorised representative, and the employees, or their authorised representative with whom agreement was reached.
- (iv) Where an arrangement is objected to in accordance with paragraph (a) of subclause (iii) of Part 1 of this clause and the objection is not resolved, an employer may make application to the Industrial Relations Commission of New South Wales to vary the award to give effect to the arrangement.
- (v) The union and/or the employer association shall not unreasonably withhold consent to the arrangements agreed upon by the parties.
- (vi) If no party objects to the arrangement, then a consent application shall be made to the Industrial Relations Commission to have the arrangement approved and the award varied in the manner specified in subclause (vii). Such applications are to be processed in accordance with the appropriate State Wage Case principles.
- (vii) Where an arrangement is approved by the Industrial Relations Commission and the arrangement is contrary to any provisions of the award, then the name of the enterprise to which the arrangement applies, the date of operation of the arrangement, the award provisions from which the said enterprise is exempt, and the alternative provisions which are to apply in lieu of such award provisions (or reference to such alternative provisions), shall be set out in a schedule to the award.
- (viii) Such arrangement when approved shall be displayed on a notice board at each enterprise affected.
- (ix) No existing employee shall suffer a reduction in entitlement to earnings, award or over award, for working ordinary hours of work as the result of any award changes made as part of the implementation of the arrangement.

47. Exemptions

This award shall not apply to members, novices or aspirants of religious orders in any facility.

48. Leave Reserved

- (i) Leave is reserved to the Association to apply with respect to:
 - (a) senior nurse management restructure;
 - (b) three per cent salary increase to apply from the beginning of the first pay period to commence on or after 1 February 1999, subject to satisfactory resolution of the issue set out in subclause (i)(a) of this clause;
 - (c) paid maternity, paternity and adoption leave;
 - (d) entitlements for Association Branch officers;
 - (e) continuing education allowance for Assistants in Nursing; and
 - (f) reasonable workloads.
- (ii) Leave is reserved to the Aged & Community Services Association of NSW. & ACT Inc., the Australian Nursing Homes & Extended Care Association (NSW), Australian Business Industrial and the Catholic Commission for Employment Relations to apply with respect to:
 - (a) definition of a seven day shift worker;
 - (b) definition of ordinary pay;
 - (c) span of hours; and
 - (d) leave without pay.

49. Area, Incidence and Duration

- (i) This award rescinds and replaces the Nursing Homes, &c., Nurses (State) Award published 22 January 1999 (308 I.G. 45) and all variations thereof.
- (ii) It shall apply to persons engaged in the industry of nursing as defined herein within the State of New South Wales, within the jurisdiction of the Private Hospital, Day Procedure Centre, Nursing Home, &c., Nurses' (State) Industrial Committee, which includes as part of its coverage the following:

Trained nurses, trainees and Assistants in Nursing and all persons employed as nurses in the industry and calling of nursing and employed in or in connection with:

 - (a) Nursing Homes as defined as at 1 September 1993 in the *Nursing Homes Act 1988*.
 - (b) Hostels as defined as at 1 September 1993 in the *Aged or Disabled Persons Care Act 1954* (Commonwealth).
- (iii) It shall also apply to persons engaged in the industry of nursing as defined herein who are employed by:
 - (a) The Hall of Children, 54 Hall Parade, Hazelbrook New South Wales
 - (b) The Mannix Children's Centre, 144 Memorial Avenue, Liverpool New South Wales
 - (c) Whitehall Children's Home, 75B Marco Avenue, Revesby New South Wales

- (iv) This award shall take effect in respect of Column 1 of Table 1 - Salaries and Column 1 of Table 2 - Other Rates and Allowances of Part B, Monetary Rates, from the beginning of the first pay period to commence on or after 30 March 2005; in respect of Column 2 of Table 1 and Column 2 of Table 2, from the beginning of the first pay period to commence on or after 30 March 2006; and in all other respects from the beginning of the first pay period to commence on or after 29 March 2005.
- (v) It shall remain in force until 29 March 2007 and thereafter until rescinded by the Commission.

PART B

MONETARY RATES

Table 1 - Salaries

Classification		Current rate Per Week (\$)	Column 1 Beginning of FPP to commence on or after 30.03.05 Per Week (\$) 6%	Column 2 Beginning of FPP to commence on or after 30.03.06 Per Week (\$) 6%
Assistant in Nursing/Trainee Enrolled Nurse				
Under 18:	1st year	420.30	445.50	472.20
	2nd year	438.90	465.20	493.10
	Thereafter	456.30	483.70	512.70
Over 18:	1st year	495.70	525.40	556.90
	2nd year	511.70	542.40	574.90
	3rd year	527.60	559.30	592.90
	Thereafter	544.10	576.70	611.30
Enrolled Nurse :	1st year	608.80	645.30	684.00
	2nd year	621.80	659.10	698.60
	3rd year	635.30	673.40	713.80
	4th year	648.70	687.60	728.90
	Thereafter	662.20	701.90	744.00
Registered Nurse General, M.R. Psych., Infants, Geriatric, Midwifery	1st year	690.00	731.40	775.30
	2nd year	727.50	771.20	817.50
	3rd year	765.00	810.90	859.60
	4th year	805.20	853.50	904.70
	5th year	845.10	895.80	949.50
	6th year	885.00	938.10	994.40
	7th year	930.60	986.40	1,045.60
	8th year	968.80	1,026.90	1,088.50
Nursing Unit Manager (personal to current occupants as at 01.03.99)				
Level I	1st year	1,074.50	1,139.00	1,207.30
	2nd year	1,104.80	1,171.10	1,241.40
Level II		1,131.90	1,199.80	1,271.80
Level III		1,162.00	1,231.70	1,305.60
Nurse undergoing pre registration assessment		594.90	630.60	668.40
Clinical Nurse Specialist		1,008.60	1,069.10	1,133.20
Clinical Nurse Consultant		1,191.10	1,262.60	1,338.40
Clinical Nurse Educator		1,008.60	1,069.10	1,133.20
Nurse Educator	1st year	1,074.50	1,139.00	1,207.30
	2nd year	1,104.80	1,171.10	1,241.40
	3rd year	1,131.90	1,199.80	1,271.80
	4th year	1,191.10	1,262.60	1,338.40

Senior Nurse	1st year	1,220.00	1,293.20	1,370.80
Educator	2nd year	1,244.90	1,319.60	1,398.80
	3rd year	1,286.60	1,363.80	1,445.60
Assistant Director of Nursing	<150 beds	1,104.80	1,171.10	1,241.40
	150-250 beds	1,191.10	1,262.60	1,338.40
	250 beds	1,220.00	1,293.20	1,370.80
Deputy Director of Nursing	Less than 20 beds	1,127.10	1,194.70	1,266.40
	20-75 beds	1,156.30	1,225.70	1,299.20
	75-100 beds	1,183.10	1,254.10	1,329.30
	100-150 beds	1,208.30	1,280.80	1,357.60
	150-200 beds	1,244.90	1,319.60	1,398.80
	200-250 beds	1,286.60	1,363.80	1,445.60
	250-350 beds	1,334.60	1,414.70	1,499.60
	350-450 beds	1,382.40	1,465.30	1,553.20
	450-750 beds	1,433.80	1,519.80	1,611.00
	750+ beds	1,489.20	1,578.60	1,673.30
Director of Nursing	Less than 25 beds	1,260.50	1,336.10	1,416.30
	25- 50 beds	1,334.60	1,414.70	1,499.60
	50-75 beds	1,363.30	1,445.10	1,531.80
	75-100 beds	1,391.80	1,475.30	1,563.80
	100-150 beds	1,431.80	1,517.70	1,608.80
	150-200 beds	1,479.70	1,568.50	1,662.60
	200-250 beds	1,527.40	1,619.00	1,716.10
	250-350 beds	1,584.90	1,680.00	1,780.80
	350-450 beds	1,680.50	1,781.30	1,888.20
	450-750 beds	1,777.90	1,884.60	1,997.70
750+ beds	1,889.60	2,003.00	2,123.20	

Table 2 - Other Rates and Allowances

Item No	Brief Description	Clause No	Current Rate (\$)	Column 1: Beginning FPP commencing on or after 30.03.05 (\$)	Column 2: Beginning FPP commencing on or after 30.03.06 (\$)
1	In charge of nursing home less than 100 beds	10(i)(a)	16.86 per shift	17.87 per shift	18.94 per shift
	In charge of nursing home 100 beds & <150 beds	10(i)(a)	27.16 per shift	28.79 per shift	30.52 per shift
2	In charge of ward/unit	10(i)(b)	16.86 per shift	17.87 per shift	18.94 per shift
3	On call	10(ii)(a)	15.03 per 24hrs or part thereof	15.93 per 24hrs or part thereof	16.89 per 24hrs or part thereof
4	On call on rostered days off	10 (ii)(b)	30.07 per 24hrs or part thereof	31.87 per 24hrs or part thereof	33.78 per 24hrs or part thereof
5	On call during meal break	10(ii)(c)	8.14 per period	8.63 per period	9.14 per period
6	Travelling Allowance	10(ii)(d) & (iii)	53.60 cents per kilometre	55.57 cents per kilometre	55.57 cents per kilometre
7	Climatic Allowance	11(i)	3.50 per week	3.50 per week	3.50 per week
8	Isolation Allowance	11(ii)	6.77 per week	6.77 per week	6.77 per week
9	Expense allowance for DON's	13			
	Less than 100 beds		194.00 pa	201.00 pa	201.00 pa
	100-299		388.00 pa	402.00 pa	402.00 pa
	300-499		582.00 per	603.00 per	603.00 per
	Over 500 beds		775.00 pa	804.00 pa	804.00 pa

10	Uniform	16(iii)(a)	5.21 per week	5.40 per week	5.40 per week
11	Shoes	16(iii)(a)	1.62 per week	1.68 per week	1.68 per week
12	Cardigan or Jacket	16(iii)(b)	1.56 per week	1.62 per week	1.62 per week
13	Stockings	16(iii)(c)	2.70 per week	2.80 per week	2.80 per week
14	Socks	16(iii)(d)	0.53 per week	0.55 per week	0.55 per week
15	Laundry	16(iv)	4.34 per week	4.50 per week	4.50 per week
16	Meal on overtime	18(viii)	7.66 per meal	7.94 per meal	7.94 per meal
17	Breakfast	28(i)(c)	2.87 per meal	2.98 per meal	2.98 per meal
18	Other Meals	28(i)(c)	5.19 per meal	5.38 per meal	5.38 per meal

F. L. WRIGHT *J, President.*
R. P. BOLAND *J.*
P. J. SAMS *D.P.*
E. A. R. BISHOP, Commissioner.

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(090)

SERIAL C3925**CATERERS EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3184 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

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

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

Grade	Rate Per week \$
1	491.30
2	508.30
3	533.90
4	552.60
5	587.00
6	627.60
7	648.90

The rates of pay in this award include the adjustments payable under the State Wage Case of 2005. 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.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7.1	Meal allowance	7.50
2	14.2	Apprentices' tool allowance	0.65 per week
3	23.1	Laundry allowance - special clothing requiring ironing	2.30 per day to a max. of 6.90 per week
		special clothing not requiring ironing	1.30 per day to a max. of 4.00 per week
4	8.5	Fares reimbursement	7.50

2. This variation shall take effect from the first full pay period to commence on or after 18 September 2005.

P. J. SAMS *D.P.*

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(080)

SERIAL C3924**CANTEEN, &c., WORKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3183 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete paragraph 7.1.3 of subclause 7.1 of clause 7, Wages, of the award published 17 March 2000 (314 I.G. 155), and insert in lieu thereof the following:

7.1.3 The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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	491.30
2	508.30
3	533.90
4	552.60
5	587.00
6	629.60

Table 2 - Other Rates and Allowances

Item No.	Clause No	Brief Description	Amount \$
1	9.2	Tool Allowance	0.65 per week
2	11.1	Meal Allowance	7.50
3	13	First Aid Allowance	9.60 per week
4	19.1	Laundry Allowance - special clothing requiring ironing	2.30 per day to a maximum of 6.90 per week
		special clothing not requiring ironing	1.30 per day to a maximum of 3.90 per week

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 7 September 2005.

P. J. SAMS *D.P.*

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(059)

SERIAL C3923**BREWERIES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3182 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

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

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

From the first pay period commencing on or after 12 July 2005.

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:

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

Table 1 - Rates of Pay

Classification	Wage Total \$
(i) Carlton and United Breweries (NSW) Pty Limited Employees -	
Security Officer/Controller	612.80
Process Control Room Operator	612.80
Security Officer	598.90
Quality Control Employee	583.50
Kegging Plant Operator	583.30
Beer Runner	583.30
Packaging Plant Operator	582.50
Storeperson - Main Store -	
Storeperson/Driver A	599.70
Storeperson/Driver B	619.50
Bottle Shop Assistant	582.50
Production Assistant/General Hand	571.80
Cleaner	571.80
All other adult employees	564.10
(ii) Tooheys Limited -	
Engine Drivers	641.20
Fireperson	629.40
Customer Serviceperson	627.60
Forklift Driver	625.80

Brewhouse Control Operator (Steinecker Brewing Plant)	622.40
Engine Room Greaser	621.30
Plant Greaser	613.30
Customer Serviceperson	612.80
Engine Driver Trainee	612.00
Filterperson	610.60
Fireman Trainee	629.40
Fermentation Man -	606.80
Packaging Operators	602.20
Bulk Packaging Operator	606.10
Security Officer	598.90
Greaser	600.10
Bulk Packaging Operator	595.00
Recovery Plant Operator	592.80
Brewhouse Complex Operator	592.80
Filtration Complex Operator	592.80
Dispatch Hand/Loadmaker Poly	608.20
All other adults packaging	591.50
Bottle Shop Hand	589.50
Dispatch Hand/Loadmaker	604.80
Traffic Controller	589.50
Other Adult - Road Sweeper	589.90
Quality Control Employee	571.00
Beer Runner	571.20
Gardener	571.00
Main Stores Storeperson	580.50
Barperson	580.60
Other Adults - Cleaners	571.80
Dispatch Hand/Loadmaker	568.40

Table 2 - Other Rates and Allowances

Item No	Clause No	Description	Amount \$
1	2(ii)(a)	Leading Hands in charge of not more than 10 people	28.20 per week
2	2(ii)(b)	Leading Hands in charge of more than 10 people	40.20 per week
3	2(ii)(c)	Employees in brewhouse, refrigerated cellars and malshouses	5.30 per week
4	2(ii)(d)	Employees, qualified first-aid attendant	11.70 per week
5	2(ii)(e)	Shiftworkers, as defined - Provided employees on 5-day roster of each night shift worked receive additionally	49.70 per week 1.44 per shift
	5(iv)	Employees on a fixed afternoon shift	59.60 per week
	5(iv)	Employees on a fixed night shift	118.90 per week
6	2(ii)(f)	Employees on 7-day continuous shift roster	66.80 per week
7	2(ii)(g)	Shiftworker on 12 hour rostered shift	66.80 per week
8	2(ii)(h)	Forklift allowance - battery operated	9.20 per week
9	2(ii)(i)	Uniform allowance	7.50 per week
10	2(ii)(j)	Forklift driver required to use hydraulic grab attachments	14.70 per week
11	3	Service Increments after - 1st year 2nd year 3rd year 4th year 5th year and thereafter	20.00 per week 21.80 per week 25.10 per week 28.50 per week 31.60 per week
12	6(iii)	Meal Allowance	6.40
13	6(iv)	Breakfast Allowance	1.46

2. This variation shall take effect from the beginning of the first full pay period to commence on or after 12 July 2005.

P. J. SAMS *D.P.*

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(494)

SERIAL C3846**LOCAL GOVERNMENT (ELECTRICIANS) (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Electrical Trades Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 3160 of 2005)

Before Commissioner Bishop

6 July 2005

VARIATION

1. Delete Part B, Monetary Rates, of the award published 4 August 2000 (317 IG 519) and insert in lieu thereof the following:

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

	Rate of pay per week \$	SWC 2005 \$	Total rate of pay \$
Technical/Trades Band Level 1	589.90	17.00	606.90
Technical/Trades Band Level 2	654.50	17.00	671.50
Technical/Trades Band Level 3	757.00	17.00	774.00
Professional Band Level 1	654.50	17.00	671.50
Professional Band Level 2	757.00	17.00	774.00
Professional Band Level 3	855.50	17.00	872.50
Professional Band Level 4	1,009.30	17.00	1026.30
Apprentice 1 year	321.50	9.65	331.10
Apprentice 2 year	379.70	11.39	391.10
Apprentice 3 year	436.10	13.08	449.20
Apprentice 4 year	491.10	14.73	505.80

Note:

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may 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

Table 2 - Other Rates and Allowances

	Amount \$
Clause 8 - Special Allowance	
(a) Dirty work	0.25
(b) Wet places	0.30
(c) Confined spaces	0.30
(d) Working underground	0.25
(e) Working with raw sewerage	5.58

Clause 9 Tool Allowance	
(i) Tools Electrical Tradesperson	23.20
(iv) (b) Compensation for lost tools	58.60
Clause 15 On call	
(iii) on call allowance	76.20
Clause 16 Meal Time Allowance	
(i) meal allowance	(CPI 3.0%) 10.50
(ii) (a) meal allowance	10.50
(ii) (b) meal allowance on overtime	8.00
Clause 25 Travelling Allowance	
3-10km	3.70
10-20km	6.50
20-30km	9.10
30-40km	11.80
40-50km	14.70
Each additional km	0.29
Clause 28 Driving of Motor Vehicles	
(ii) (a) Use of private motor vehicle	
Under 2.5litres	0.54
2.5 litres and over	0.62
(b) Minimum yearly allowance	6,984.00
Clause 29 Industry Allowance	
Industry allowance	38.40
Clause 32 Miscellaneous	
(ii) (a) West of the line allowance	1.03
(iii) First aid allowance	2.22

2. This variation shall take effect from the first full pay period to commence on or after 8 August 2005.

E. A. R. BISHOP, Commissioner.

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(1590)

SERIAL C3882**COMMUNITY PHARMACY (STATE) AWARD 2001**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop Assistants and Warehouse Employees Federation of Australia, industrial organisation of employees.

(No. IRC 3374 & 3375 of 2005)

Before Commissioner Bishop

14 July 2005

VARIATION

1. Delete subclause 13.6, of clause 13, Wages Per Week of 38 Hours, of the award published 21 December 2001 (330 I.G. 597), and insert in lieu thereof the following:

13.6 The rates of pay in this award include the adjustments payable under the State Wage Case June 2005. 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 subclause 18.3, of clause 18, Supported Wage, and insert in lieu thereof the following:

18.3 Supported Wage Rates

Employees to whom this clause applies shall be paid the appropriate percentage of the minimum rate of pay prescribed by this Award for the class of work, which the person is performing according to the following schedule:

Assessed Capacity (subclause (d))	% Of Prescribed Award Rate
10*	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90

(Provided that the minimum amount payable shall not be less than \$61.00 per week.)

* Where a person's assessed capacity is 10 per cent, they shall receive a high degree of assistance and support.

3. Delete paragraph 18.9.3 of the said clause 18, and insert in lieu thereof the following:

18.9.3 The minimum amount payable to the employee during the trial period shall be no less than \$61.00 per week.

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

PART B
MONETARY RATES

Table 1 - Wages

Description	Total Rate per week \$
Pharmacist	743.10
Pharmacist after first year of experience	784.80
Experienced Pharmacist	822.50
Pharmacist in Charge	
Grade 1	843.40
Grade 2	864.20
Grade 3	906.00
Pharmacist Manager	
Grade 1	947.70
Grade 2	989.40
Grade 3	1,031.10
Pharmacist Trainee	
First 6 months	578.20
Second 6 months	603.20
Pharmacy Student	
First year of course	484.40
Second year of course	492.80
Third year of course	534.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	15.1	Garment Allowance	1.66 per day
2	15.2	Vehicle Allowance Engine capacity (cc) Up to 1600 1601 to 2600 over 2600	52.1 cents per km 59.2 cents per km 61.4 cents per km
3	15.5.2	Living Away from Home Allowance	8.90 per day
4	22.3	Meal Allowance	11.30
5	35.2	Meal Allowance (Schools and Courses)	11.30

5. This variation shall take effect from the first full pay period commencing on or after 31 July 2005.

E. A. R. BISHOP, Commissioner.

Printed by the authority of the Industrial Registrar.

DRY CLEANING (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 3275 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete the amount "\$60.00" appearing in paragraph 9.4.2 and subparagraph 9.7.6 (c) of clause 9, Supported Wage System, of the award published 30 November 2001 (329 I.G. 1111) and insert in lieu thereof the following:

\$61.00

2. Delete subclause 14.4 of clause 14, Rates of Pay, and insert in lieu thereof the following:

14.4 The rates of pay in this Award include the adjustments payable under the State Wage Case June 2005. 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, State Wage Case, and minimum wage adjustments.

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

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

Group	Classification	Total Minimum Award Rate per week \$
A	Invisible mender, Tailor or tailoress	544.50
B	Presser Receiver and dispatcher in charge A (namely a person in charge of a depot and responsible for the keeping of records and responsible for cash) Cleaner (operating dry cleaning machine)	509.40
C	Repairer (other than tailor or tailoress) Spotter presser (off-set press) Hand ironer receiver and/or dispatcher	509.40
D	Wet cleaner, Steam air finisher, Examiner of garments, Assembler of garments, Sorter of garments	501.10
E	All other	484.40

Table 2 - Other Rates and Allowances

Allowances payable from the beginning of the first pay period to commence on or after 21 August 2005.

Item No.	Clause No.	Brief Description	Amount \$
1	17.1.1.	Meal Money	5.25

4. This variation shall take effect from the first full pay period to commence on or after 21 August 2005.

P. J. SAMS *D.P.*

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(384)

SERIAL C3926**HOTEL EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3185 of 2005)

Before Mr Deputy President Sams

1 July 2005

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 2005. 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	484.40
Cashier in Bars	484.40
First Cook	492.20
Qualified Cook	484.40
Cook Employed Alone	484.40
Breakfast & Other Cook	484.40
Head Waiter/ress and/or Host/ess	484.40
Other Waiters/resses, drink and/or Food	484.40
Cleaner in and about Bars	484.40
Cellarperson	484.40
Assistant Cellarperson	484.40
Butcher	484.40
Pantryman/maid or Kitchenman/maid	484.40
Storeperson	484.40
Night Porter	484.40
Day Porter	484.40
Billiards Room Attendant	484.40
Commissionaire Messenger and/or Parking Attendant	484.40
Useful and Cleaner	484.40
Person not otherwise provided for	484.40

Office Employees -	
1st year of adult service in the clerical industry	484.40
2nd year of adult service in the clerical industry	484.40
3rd year of adult service in the clerical industry	484.40
Cashier - elsewhere	484.40
Housekeeper or Manager/ess	484.40
Snack Bar Attendant	484.40
Laundry employee	484.40
Houseman/maid	484.40
Houseman/maid who repairs linen or articles of any description	484.40
Pantryman/maid or Kitchenman/maid	484.40
Persons not otherwise provided for	484.40

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Description	Amount \$
1	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour	0.53
2	5 (a)	Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	4.23
3	5 (b) (i)	In Charge of more than four employees	9.00 per week
4	5 (b) (ii)	In Charge of six to ten employees	11.80 per week
5	5 (b) (iii)	In Charge of ten to twenty employees	13.60 per week
6	5 (b) (iv)	In Charge of more than twenty employees	22.80 per week
7	5 (c) (i)	Shorthand 80 wpm	4.27 per week
8	5 (c) (ii)	Shorthand 100 wpm	9.06 per week
9	5 (c) (iii)	Machine operator	4.17 per week
10	5 (d) (i)	Home deliveries	0.37 per hour
11	5 (d) (ii)	Home deliveries	0.37 per hour
12	5 (d) (ii)	Home deliveries maximum	0.74
13	6A (a) (i)	Apprentice proficiency (first occasion)	1.55 per week
14	6A (a) (ii)	Apprentice proficiency (second occasion)	2.50 per week
15	6A (a) (iii)	Apprentice proficiency (third occasion)	3.20 per week
16	7 (b) (1)	For all work between 7.00 pm and 7.00 am per hour	0.84
17	7 (b) (2)	For all work between 7.00 pm and 7.00 am per hour - Minimum payment per day	1.29
18	8 (a)	Board and residence adult employee	16.70 per week
19	8 (a)	Shared room Board and residence adult employee	16.00 per week
20	8 (b)	Lodgings only adult employee	10.30 per week
21	8 (b)	Shared room lodgings only adult employee	10.20 per week
22	8 (c)	Meal supplied during employee's spread of hours	1.17 per meal
23	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour	0.32
24	10 (a) (1)	Apprentices - Part of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	0.63
25	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour	0.35
26	10 (a) (2)	Apprentices - Whole of work between 7.00 pm and 7.00 am per hour - Minimum payment per day	2.87
27	25 (b)	Laundry special clothing - cooks	3.17 per week
28	25 (b)	Laundry special clothing - other than cooks	1.92 per week
29	26 (ii)	Apprentice - Tool allowance	0.59 per week

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 30 August 2005.

P. J. SAMS *D.P.*

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(577)

SERIAL C3927**RESTAURANTS, &c., EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3188 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete Part B, Monetary Rates, of the award published 19 January 2001 (321 I.G. 759), and insert in lieu thereof the following:

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

Grade	Former Rate \$	SWC 2005 \$	Total Rate \$
1	474.30	17.00	491.30
2	491.30	17.00	508.30
3	516.90	17.00	533.90
4	535.60	17.00	552.60
5	570.00	17.00	587.00
6	610.60	17.00	627.60
7	631.90	17.00	648.90

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:

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

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7.1	Meal Allowance	7.50
2	14.2	Apprentice's Tool Allowance	0.65 per week
3	23.1	Laundry Allowance: - special clothing requiring ironing - special clothing not requiring ironing	2.30 per day to a maximum of 6.90 1.30 per day to a maximum of 4.00

2. This variation shall take effect from the beginning of the first full pay period to commence on or after 18 August 2005.

P. J. SAMS *D.P.*

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(489)

SERIAL C3902**MOTOR VEHICLE SALESPERSON (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop Assistants and Warehouse Employees' Federation of Australia, and another, industrial organisation of employees.

(No. IRC 3392 and 3393 of 2005)

Before Commissioner Cambridge

2 August 2005

VARIATION

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

5. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case May 2005. 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 subclause (c), of clause 7, Supported Wage, and insert in lieu thereof the following:

- (c) Supported Wage Rates - Employees to whom this clause applies shall be paid the appropriate percentage of the minimum rate of pay prescribed by this award for the class of work which the person is performing, according to the following schedule:

Assessed Capacity (subclause (d))	Percentage of Prescribed Award Rate
10*	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90

(Provided that the minimum amount payable shall not be less than \$61.00 per week.)

- * Where a person's assessed capacity is 10 per cent, they shall receive a high degree of assistance and support.

3. Delete paragraph (iii), of subclause (i), of the said clause 7, and insert in lieu thereof the following:

- (iii) The minimum amount payable to the employee during the trial period shall be no less than \$61.00 per week.

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

PART B
MONETARY RATES

Table 1 - Wages

Group	Classification	Total rate \$
1	Motor Vehicle Salesperson	578.20
2	Probationary Salesperson	544.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	3(A)(ii)	Exhibitions (Royal Easter Show, etc)	17.01 per night
2	11(v)(a)	Meals (Showrooms, Car Yards, etc.)	10.90
3	11(v)(b)	Meals (Royal Easter Show etc.)	10.90
4	12(ii)(a)	Vehicle Allowance - Up to 20 h.p.	145.40, plus 14 cents per km
5	12(ii)(b)	Vehicle Allowance - Over 20 h.p.	161.70, plus 22 cents per km
6	12(iii)	Vehicle Allowance - (casual) - up to 20 h.p.	Min 57 cents per km
7	12(iii)	Vehicle Allowance - (casual) - over 20 h.p.	Min 57 cents per km
8	13	Sunday Loading: (a) if more than half a day is worked (b) if half a day or less is worked	115.52 57.76

Table 3 - Training Wage - Skill Level A

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at industry/skill level A.

	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	173.00 (50%)* 202.00 (33%)	216.00 (33%) 243.00 (25%)	293.00
Plus 1 year out of school	243.00	293.00	340.00
Plus 2 years	293.00	340.00	396.00
Plus 3 years	340.00	396.00	453.00
Plus 4 years	396.00	453.00	
Plus 5 years or more	453.00		

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

Table 4 - Training Wage - Skill Level B

Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at skill level B.

	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School Leaver	173.00 (50%)* 202.00 (33%)	216.00 (33%) 243.00 (25%)	293.00
Plus 1 year out of school	243.00	283.00	325.00
Plus 2 years	283.00	325.00	382.00
Plus 3 years	325.00	382.00	435.00
Plus 4 years	382.00	435.00	
Plus 5 years or more	435.00		

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

5. This variation shall take effect on and from the first full pay period commencing on or after 24 August 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

VEGETABLE OILS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete clause 4, State Wage Case Adjustments, of the award published 24 August 2001 (327 I.G. 183) and insert in lieu thereof the following:

4. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:

- (i) any equivalent overaward payment; and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete subclause (i), Adult Employees of Table 1 - Rates of Pay and Table 2 - Other Rates and Allowances of Part B, Monetary Rates and insert in lieu thereof the following:

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

- (i) Adult Employees -

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Level One: (96%) Solvent Extractor, Refiner	542.50	17.00	559.50
Level Two: (89.9%) Machine Operators, Assistant Refiner, Press Person, Employee Working Expellers, Oil Pumperson, Delinter and/or Dehuller Operator, Forklift Operator, Meat Packer and Sewer	517.10	17.00	534.10
Level Three: (87.4%) Crusher Feeder, Solvent Extractor Hand, Baler Operator, Seed Intake Operator	506.70	17.00	523.70
Level Four: (83%) All Others	488.40	17.00	505.40

Table 2 - Other Rates and Allowances

Item No.	Clauses No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	3(iii)	Leading Hand Allowance		
2		In charge of 3 to 6 employees	19.50	20.10
3		In charge of 7 to 10 employees	24.00	24.70
4		In charge of 11 to 15 employees	29.00	29.90
		In charge of over 15 employees	36.20	37.30
5	3(v)	During Cotton Seed Operations	0.24 per hour	0.25 per hour
6	9	Meal Allowance	9.35	9.65
7	20	First-Aid Allowance	2.25 per day or shift	2.30 per day or shift

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 17 November 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

TOY MAKERS' 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 3150 of 2005)

Before Commissioner Cambridge

29 July 2005

VARIATION

1. Delete subclause (i), of clause 3, Wages of the award published 8 June 2001 (325 I.G. 404) and insert in lieu thereof the following:

- (i) Adults - The minimum rates of pay for the classifications in this Award are set out hereunder.
- (a) Employees engaged in the manufacture or preparation of soft toys and or dolls of all descriptions (including clay, rubber and sawdust) shall be paid the following rates of pay:

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Cutter - out	475.70	17.00	492.70
Press operator - all materials except cloth	473.70	17.00	490.70
Mould reproducer	470.30	17.00	487.30
Spray gun operator	470.30	17.00	487.30
Grinder or Buffer	469.10	17.00	486.10
All other adult employees	467.40	17.00	484.40

- (b) Employees engaged in the manufacture and/or preparation of wooden toys shall be paid the following rates of pay:

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Sawyer	475.70	17.00	492.70
Sanding machine operator	470.30	17.00	487.30
Spray gun Operator	470.30	17.00	487.30
All other employees	467.40	17.00	484.40

2. Delete subclause (vii), of clause 3, Wages and insert in lieu thereof the following:

- (vii) The rates of pay in this award include the adjustments payable under State Wage Case 2005. These adjustments may be offset against:
- (a) any equivalent overaward payment; and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

3. This variation shall take effect from the first full pay period to commence on or after 31 March 2006.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(607)

SERIAL C3894**SOAP AND CANDLE MAKERS (STATE) CONSOLIDATED AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete clause 2, Safety Net Commitments, of the award published 6 July 2001 (325 I.G. 1033), and insert in lieu thereof the following:

2. Safety Net Commitments

- (i) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Group I - Employee in charge of soap Making Chemithon Plant Operator	499.50	17.00	516.50
Group II - Soap Boiler, including the finishing of Soap Pan Tower Operator Granulation Plant Operator Fork Lift Operator	488.40	17.00	505.40
Group III - Employees working at Pans Kettle Operator Amalgamator and Mill Operator Glycerine Room Operator Wrapping Machine Operator Automatic Stamping Machine Operator Liquid Detergents Operator Mixing (Non-soap Detergents) Operator Screens and Dosing Operator Soap Dryer	480.20	17.00	497.20

Operator Tallow Beaching Machine Adjuster, all locations Chemithon Assistant Operator Weight Controller			
Group IV - Malleys Dust Collector Jet Room Operator Employees engaged in mechanical and/or hand crushing Employee melting out oils and fats Employee pumping oil to soap pans and kettles Treatment - hand, glycerine Assistant mixer operator, non-soapy detergent Powder Reclaiming Operator	474.50	17.00	491.50
Group V - Employees engaged in open air stacking, handling and receiving raw materials Employee filing, trucking, weighing, etc. Employee on automatic sealing machine Soda Boiler Employee not elsewhere classified	468.70	17.00	485.70

	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Stearine and Candles -			
Candle Maker	475.30	17.00	492.30
Stillman	473.10	17.00	490.10
Candle Moulder	469.70	17.00	486.70
Stearine Press Operator	467.40	17.00	484.40
Employees concentrating candle crude glycerine	467.40	17.00	484.40
Operator in charge of flat splitting plant	473.10	17.00	490.10
General Hand not elsewhere classified	467.40	17.00	484.40
Candle Manufacturer	467.40	17.00	484.40
All others	468.70	17.00	485.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	5(iv)	Leading Hand Allowance -		
		In charge of 3 to 6 employees	20.20	20.80
		In charge of 7 to 10 employees	25.50	26.25
		In charge of 11 to 15 employees	30.15	31.05
		In charge of more than 15 employees	37.35	38.45
2	5(v)	Employees engaged in cleaning pits, tanks, vats and/or stumps and/or evaporator tubes	0.78	0.81
3	5(vi)	Employees required to empty bags of soda ash by hand	0.77	0.80
4	5(vii) 27(ii)	First-aid Attendant	2.60	2.70
5	15(i) & 15(iii)	Meal Allowance - Overtime in excess of four hours Notified of overtime	8.80	9.05

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the beginning of the first full pay period to commence on or after 15 August 2005.

I. W. CAMBRIDGE, Commissioner.

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(570)

SERIAL C3893**RACE CLUBS EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

29 July 2005

VARIATION

1. Delete subclause (1) of clause 2, Arbitrated Safety Net Adjustment of the award published 24 August 2001 (327 I.G. 95), and insert in lieu thereof the following:
 - (1) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (i) any equivalent overaward payment; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Race Club Employee 1 - 110% Track Foreman	603.00	17.00	620.00
Foreman Gardener	603.00	17.00	620.00
Race Club Employee 2 - 100% Tradesman	561.20	17.00	578.20
Race Club Employee 3 - 92.4% Leading Hand (Track and Maintenance)	527.50	17.00	544.50
Leading Hand (Gardener)	527.50	17.00	544.50
Race Club Employee 4 - 89% Track Crossing Attendant	513.30	17.00	530.30
Propagator	513.30	17.00	530.30
Race Club Employee 5 - 86% Gardener (as defined)	500.80	17.00	517.80
Fettler	500.80	17.00	517.80
General Track or Maintenance Hand	500.80	17.00	517.80
Race Club Employee 6 - 82% General Maintenance Labourer and Cleaner	484.10	17.00	501.10
Employee not else where classified	484.10	17.00	501.10
Race Club Employee 7 - 78% Employee undertaking up to 3 months on the job training	467.40	17.00	484.40

Plant Operators			
Plant Operator 1 - (92.4%)	527.50	17.00	544.50
Plant Operator 2 - (87.4%)	506.70	17.00	523.70

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	3(2)(a)	Employee other than a Plant Operator, required to use a scythe or operate a power mower	1.85 per day or part thereof	1.90 per day or part thereof
2	3(2)(b)	Employee other than a Plant Operator, required to operate a tractor with or without attachments and/or front end loader	1.85 per day or part thereof	1.90 per day or part thereof
3	3(2)(c)	Employees required to use pesticides, weedicides Or poisonous sprays	2.00 per day	2.05 per day
4	3(2)(d)	First-aid Allowance	2.60 per day	2.70 per day
5	3(2)(e)	Meal Allowance for overtime	7.95	8.20
6	3(2)(f)	Horse handling allowance	1.85 per day or part thereof	1.90 per day or part thereof

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005, and for work related allowances are inclusive of adjustment in accordance with the June 2005 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first full pay period to commence on or after 1 November 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(541)

SERIAL C3892**POTATO CRISP MAKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete subclause (v) of clause 5, Rates of Pay, of the award published 10 August 2001 (326 I.G. 1011), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case of May 2005. 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**

- (i) Adult Employees -

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Cook Grade 1, Extrusion Machine Operator Grade 1, Corn Chip Cook, Corn Preparation Operator (Arnotts)	590.40	17.00	607.40
Packing Machine Operator, Fork Lift Truck Driver (Arnotts)	588.00	17.00	605.00
Waste Water Treatment and Plant Operator (Arnotts)	594.90	17.00	611.90
Cook Grade 1, Extrusion Machine Operator Grade 1, Corn Chip Cook, Corn Preparation Operator	581.10	17.00	598.10
Packing Machine Operator, Fork Lift Truck Driver	578.70	17.00	595.70
Waste Water Treatment and Plant Operator	574.90	17.00	591.90
Cook Grade 2, Extrusion Machine Operator Grade 2, Other Machine Operator, Packet Weight Controller using calculator, Pallet Checker and Recorder and Palletiser, Wet End Attendant, Packaging Machine Operator (Training)	554.60	17.00	571.60
Person who, in the course of a shift, cleans toilets	546.60	17.00	563.60
Other employees not elsewhere classified	543.70	17.00	560.70

- (ii) Juniors - Junior employees shall be paid the following percentages of the rate of pay for the classification "Other employees not elsewhere classified", calculated to the nearest 5 cents, any broken part of 5 cents in the result not exceeding 2.5 cents to be disregarded:

	Percentage
At 16 years of age and under	50
At 17 years of age	60
At 18 years of age	70
At 19 years of age	80
At 20 years of age	95

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	5(ii)	Leading Hand Allowance	34.40 per week	35.40 per week
2	5(iv)	Team Leader - Arnotts Foods only	55.25 per week	56.90 per week
3	3(iii)(b)	Afternoon Shift Allowance	77.75 per week	80.10 per week
4	3(iv)(b)	Night Shift Allowance	154.55 per week	159.20 per week
5	8(vi)	Meal Allowance	8.05 per meal	8.30 per meal
6	16(iii)	First-aid Allowance	2.05 per day	2.10 per day

"Note" These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 24 July 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(341)

SERIAL C3891**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 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

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 2005. 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 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
	Trainee	467.40	17.00	484.40
1	Grade 1	492.80	17.00	509.80
2	Fumigator/Technician	505.90	17.00	522.90
3	Senior Fumigator/Technician	521.50	17.00	538.50
4	Inspector	567.35	17.00	584.35

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	3(d)	Leading Hand: 2-5 employees	0.51 per hour	0.53 per hour
2	3(d)	Leading Hand: 5-10 employees	0.68 per hour	0.70 per hour
3	3(d)	Leading Hand: more than 10 employees	0.89 per hour	0.92 per hour
4	6(c)	Meal allowance	10.60	10.90
5	6(d)	Meal allowance - Overtime or work past 12 noon	10.60	10.90
6	14(b)	Living away from home allowance	389.90 week	406.65 week
7	17(b)	First-aid allowance	2.40 per day or shift	2.45 per day or shift

"Note". These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 25 July 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(507)

SERIAL C3889**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 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

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 of June 2005. 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 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Senior Nursery Tradesperson	602.90	17.00	619.90
Nursery Tradesperson	561.20	17.00	578.20
Mobile Nursery Person	530.00	17.00	547.00
Trainee Nursery Person	509.20	17.00	526.20
Micro-Propagation Processor	509.20	17.00	526.20
Nursery Hand	488.30	17.00	505.30

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	16(b)	First-aid	1.70	1.75
2	18(a)	Meal Allowance	8.55	8.80

"Note". These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 19 July 2005.

I. W. CAMBRIDGE, Commissioner.

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(043)

SERIAL C3886**BOWLING AND GOLF CLUBS EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, an industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete subclause (iii) of clause 8 Rates of Pay, of the award published 15 April 2005 (350 I.G. 109), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (A) any equivalent overaward payments; and/or
 - (B) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Rate Per Week (\$)
5 Day Worker	
Level 1	501.10
Level 2	523.60
Level 3	544.50
Level 4	578.20
Level 5 (Bowling Club)	599.10
Level 5 (Golf Clubs)	619.90
Level 6 (Golf Clubs)	659.60
5 & ½ Day Worker	
Level 1	512.00
Level 2	534.50
Level 3	555.30
Level 4	589.00
Level 5 (Bowling Club)	609.90
Level 5 (Golf Club)	628.80
Level 6 (Golf Club)	670.50

Table 2 - Apprentices

Apprentice's year of apprenticeship	% of skilled tradesperson's minimum weekly rate (Greenkeeper Level 4)	Rate per week (\$)
5 Day Week		
1st	50	289.10
2nd	58	335.35
3rd	68.5	396.05
4th	78	451.00
5 & ½ Day Week		
1st	50	294.50
2nd	58	341.60
3rd	68.5	403.45
4th	78	459.40

Table 3 - Other Rates and Allowances

Item No	Clause No.	Brief description	Amount \$
1	27	Motor vehicle allowance	0.47 per kilometre
2	17	Meal allowance	8.50
3	30	First Aid allowance	1.85 per day

Table 4 - Youth Rates

Youths	Percentage of Greenkeeper Level 1	5 Day Week - Rate Per Week (\$)	5 & ½ Day Week - Rate Per Week (\$)
16 years and under 17 years	45	225.50	230.40
17 years and under 18 years	50	250.55	256.00
18 years and under 19 years	60	300.65	307.20
19 years and under 20 years	80	400.90	409.60
20 years and under 21 years	100	501.10	512.00

Note: These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 21 July 2005.

I. W. CAMBRIDGE, Commissioner.

(112)

SERIAL C3887**CHEMICAL WORKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete subclause (iii) of clause 3, Wages, of the award published 11 May 2001 (324 I.G. 688), and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 2004 Amount	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Chemical Plant Operator - Class One (100%)	561.20	17.00	578.20
Class Two (92.4%)	527.50	17.00	544.50
Class Three (89.9%)	517.10	17.00	534.10
Materials Attendant - Class One (92.4%)	527.50	17.00	544.50
Class Two (89.9%)	517.10	17.00	534.10
General Labourer (86%)	500.80	17.00	517.80
Forklift Operator (89.9%)	517.10	17.00	534.10

Juniors:	Percentage of total wage for adult general labourer per week %
Under 16 years of age	44
At 16 years of age	53
At 17 years of age	61
At 18 years of age	70
At 19 years of age	79
At 20 years of age	88

Table 2 - Other Rates and Allowances

Item No	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	4(i)	Leading Hand	22.10	22.75
2	4(ii)	Cleaning inside tank or still	1.20 per hour	1.25 per hour
3	9(iii)(a)	Meal allowance	10.10	10.40
4	9(iii)(a)	Meal allowance - second meal	10.10	10.40
5	20(ii)	Duties of first-aid person	1.65 per day	1.70 per day

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the State Wage Case 2005 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 25 July 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(440)

SERIAL C3888**MARGARINE MAKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete subclause (viii) of clause 2, Rates of Pay of the award published 24 August 2001 (327 I.G. 163) and insert in lieu thereof the following:
 - (viii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (i) any equivalent overaward payment; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Classification	Former Rate \$	SWC 2005 \$	Total Rate \$
Refinery Operator and Process Operator (96%)	542.50	17.00	559.50
Assistant Refinery Operator and Seeding Plant Operator (92.4%)	527.50	17.00	544.50
Assistant Seeding Plant Operator, Assistant Process Plant Operator and Packaging Plant Operator (89.9%)	517.10	17.00	534.10
All Others (83%)	488.90	17.00	505.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	2(iv)	Removing grease by Anderson Kerrick or similar steam method per hour	0.40	0.41
2	2(v)(a)	Cleaning pits, tanks, vats, sumps and / or drains per hour	0.70	0.72
	2(v)(b)	Continuously employed in the above per week	16.35	16.85
3	2(vi)	Clothing Allowance per week	2.15	2.20

4	2(iii)	Leading Hands (per week)		
		(a) in charge of 3 to 6 employees	18.20	18.70
		(b) in charge of 7 to 10 employees	22.60	23.30
		(c) in charge of 11 to 15 employees	27.00	27.80
		(d) in charge of more than 15 employees	33.70	34.70
5	7(i)(iii)	Meal Allowance		
		(a) in excess of 1 hours overtime	7.95	8.20
		(b) in excess of four hours overtime	7.95	8.20
		(c) with notice of overtime	7.95	8.20
6	19	First Aid Allowance per day or shift	2.30	2.35

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 12 November 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(511)

SERIAL C3890**NUT FOOD MAKERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3150 of 2005)

Before Commissioner Cambridge

5 July 2005

VARIATION

1. Delete subclause (v) of clause 4, Rates of Pay of the award published 15 February 2002 (331 I.G. 357), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (i) any equivalent overaward payment; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete (i) 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:

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

- (i) Adult Employees -

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Roaster and/or fryer (96%)	527.75	17.00	544.75
Mayonnaise Plant Operator (96%)	527.75	17.00	544.75
Distributor and Dispatcher (92.4%)	514.90	17.00	531.90
All other adult employee*(87.9%)	499.60	17.00	516.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	4 (iii)	Leading Hands:		
		In charge of 3 to 6 employees	22.15	22.80
		In charge of 7 to 10 employee	26.00	26.80
		In charge of 11 to 15 employees	32.90	33.90
		In charge of more than 15 employees	40.40	41.60
2	14 (i) & (iii)	Meal Allowance	9.35	9.65
3	26 (ii)	First-aid Allowance	2.75	2.85

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005, and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 December 2005.

I. W. CAMBRIDGE, Commissioner.

Printed by the authority of the Industrial Registrar.

(707)

SERIAL C3910**VAN SALES EMPLOYEES' (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association and another, industrial organisation of employees.

(No. IRC 3378 and 3379 of 2005)

Before Commissioner Cambridge

13 July 2005

VARIATION

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

5. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case June 2005. There adjustments may be offset against:
- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Total Rate per week \$
Van Sales Employees Local - In charge of a vehicle with carrying capacity of:	
up to or equal to 2 tonnes	528.40
over 2 and up to 5 tonnes	532.10
over 5 tonnes	536.30
Van Sales Employees Country - In charge of a vehicle with a capacity of:	
up to or equal to 2 tonnes	543.10
over 2 and up to 5 tonnes	547.00
over 5 tonnes	551.40

The carrying capacity shall be the difference between the tare weight and the aggregate weight as shown on the vehicle registration certificate.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(ii)	Allowance for driving refrigerated vans	6.92 per week
2	18(i)	Meal Allowance	10.40
3	44(i)	Laundry Allowance - non nylon articles	8.60
4	44(i)	Laundry Allowance - nylon articles	5.20

5	18(ii)	Meal Allowance for working Trade Fairs etc on Sundays and Public Holidays	10.40
6	44(vi)	Technical Qualification Allowance	16.42 per week
7	44(vii)	Washing of any vehicle	7.67

3. Delete subclause (c), of clause 6, Supported Wage, and insert in lieu thereof the following:

- (c) Supported Wage Rates - Employees to whom this clause applies shall be paid the appropriate percentage of the minimum rate of pay prescribed by this award for the class of work which the person is performing according to the following schedule:

Assessed Capacity (subclause (d))	% Of Prescribed Award Rate
10%*	10%
20%	20%
30%	30%
40%	40%
50%	50%
60%	60%
70%	70%
80%	80%
90%	90%

(Provided that the minimum amount payable shall be not less than \$61.00 per week.)

* Where a person's assessed capacity is 10 per cent, they shall receive a high degree of assistance and support.

4. Delete paragraph (i) (iii), of the said clause 6, and insert in lieu thereof the following:

- (iii) The minimum amount payable to the employee during the trial period shall be no less than \$61.00 per week.

5. This variation shall take effect from the first full pay period commencing on or after 13 July 2005.

I. W. CAMBRIDGE, Commissioner.

(705)

SERIAL C3956

MISCELLANEOUS WORKERS' - GENERAL SERVICES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3326 of 2005)

Before The Honourable Mr Justice Staff

7 July 2005

VARIATION

1. Delete subclause (v) of clause 6, Wages, of the award published 8 December 2000 (320 I.G. 1078), and insert in lieu thereof the following:
 - (v) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (a) any equivalent over-award payments; and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

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

PART B

MONETARY RATES

Table 1 - Wages

Classification	Former Rate \$	SWC 2005 \$	New Rate \$
Tea Attendant - Level 1	484.10	17.00	501.10
Cleaner	502.00	17.00	519.00
Lift Attendant	502.00	17.00	519.00
Caretaker rel: 92.4%	527.35	17.00	544.35

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7(i)	Leading Hand: 1-5 employees	23.10
2	7(i)	Leading Hand: 6-10 employees	26.30
3	7(i)	Leading Hand: 11 or more employees	34.10
4	7(ii)	First-aid Allowance	12.60 per week
5	7(ii)	First-aid Allowance	2.51 per day
6	7(iii)	Qualification Allowance	15.35 per week
7	7(iii)	Qualification Allowance	3.07 per day
8	7(v)(a)	Locomotion - Motor cycle or other motor vehicle	21.70 per week
9	7(v)(a)	Locomotion - Bicycle	1.96 per shift
10	7(v)(b)	Laundry Allowance	1.34 per shift

11	8(ii)(a)	Broken Shift	10.75 per shift
12	8(ii)(b)	Excess Fares Allowance	8.75 per week
13	9(iii)	Cleaning Windows Height: each window	0.66
14	9(iv)	Cleaning from Ladder : each window	0.66
15	15(ii)	Meal Allowance	7.60

3. This variation shall take effect from the first full pay period to commence on or after 13 September 2005.

C. G. Staff J.

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(950)

SERIAL C3953

HEALTH, FITNESS AND INDOOR SPORTS CENTRES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3332 of 2005)

Before The Honourable Mr Justice Staff

7 July 2005

VARIATION

1. Delete clause 31, State Wage Case Adjustment, of the award published 4 May 2001 (324 I.G. 497) and insert in lieu thereof the following:

31. State Wage Case Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 -Rates of Pay and Table 2 - Other Rates and Allowances, of Part B Monetary Rates and insert in lieu thereof the following:-

Table 1 - Rates of Pay

Grade	Relativity	Full Time \$	Hourly Rate \$
Level 1	78%	484.40	12.75
Level 2	82%	501.10	13.19
Level 3A	87.4%	523.60	13.78
Level 3B	91.5%	540.00	14.21
Level 4	92%	542.80	14.28
Level 5	100%	578.20	15.22
Level 6	115%	641.40	16.88

Junior Rates for Levels 1,2 and 3	Percentage of Appropriate Adult Rate
At 16 years and under	55
At 17 years	65
At 18 years	75
At 19 years	85
At 20 years	100

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount Per Week \$
1	2(c)	Supervisory loadings - Up to 5 employees	20.30 per week
2	2(c)	Supervisory loadings - 6 to 10 employees	27.75 per week
3	2(c)	Supervisory loadings - 11 or more employees	37.20 per week
4	21(a)	First-aid allowance	9.50 per week 1.90 per shift
5	23(a)	Stocking allowance	2.70 0.54 per day
	23(b)	Toilet cleaning allowance	7.78
	23(c)	Laundry Allowance	6.95 per week 1.39 per day
	23(d)	Broken Shift Allowance: For each broken shift so worked excess fares allowance	10.20 per day 7.50 per week or 1.52 per day

3. This variation shall take effect from the first full pay period to commence on or after 12 August 2005.

C. G. Staff J.

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(139)

SERIAL C3908**CLOTHING TRADES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 3277 of 2005)

Before Commissioner Cambridge

8 July 2005

VARIATION

1. Delete clause 7, Absorption Commitment, of the award published 19 October 2001 (328 I.G. 952), and insert in lieu thereof the following:

7. Absorption Commitment

- 7.1 The rates of pay in this Award include the adjustments payable under the State Wage Case June 2005. 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, State Wage Case, and minimum wage adjustments."

- 7.2 The rates in Tables 1 - Rates of Pay, and the rates in Table of Table 2 - Other Rates and Allowances, of Part b, Monetary Rates, shall operate from the beginning of the first pay period to commence on or after 23 July 2005.

2. Delete the amount "\$60" wherever appearing in clause 13, Workers Eligible for a Supported Wage and insert in lieu thereof the following:

\$61

3. Delete Part B - Monetary Rates and insert in lieu of the following:

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

Clause 6 - Rates of Pay

Adult Rates of Pay from the beginning of the first pay period to commence on or after 23 July 2005.

Skill Level	Award Rate \$
Trainee	484.40
1	501.10 *
2	523.60
3	544.50
4	578.20
5#	619.90 **

* Calculation for minute pay rate for PBR purposes

** Note yet determined as to relativity

Not a skill level

Table 2 - Other Rates and Allowances

Allowances payable from the beginning of the first pay period to commence on or after 23 July 2005.

Item No.	Clause No.	Brief Description	Amount \$
1	6.6.1	Head of table or bench of machines, in charge of four or more persons - above appropriate machinist rate	14.25
2	6.6.2	Head of table or bench of machines, in charge of four or more persons - above appropriate machinist	10.45
3	17.1	Meal Money	8.30
4	46.1	Disability allowances - Inadequate dining facilities	3.50
5	46.2	Disability Allowances - Inadequate rest facilities	3.50

4. Delete the paragraph commencing "Wages" in clause 63, Schedule C, Information to be given to Outworkers, and insert in lieu thereof the following:

Wages - According to law, as at 23 July 2005 the usual weekly wage for 38 hours, Monday to Friday is \$523.60.

The hourly rate is \$13.78. Remember, the law says you must not be paid less than the hourly rate according to the award.

5. This variation shall take effect on and from the first full pay period on or after 23 July 2005.

I. W. CAMBRIDGE, Commissioner.

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(710)

SERIAL C3907

WHOLESALE FRUIT AND VEGETABLE EMPLOYEES' (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, industrial organisation of employees.

(No. IRC 3321 of 2005)

Before Commissioner Cambridge

13 July 2005

VARIATION

1. Delete clause 17, Arbitrated Safety Net Adjustment, of the award published 8 September 2000 (318 I.G. 552) and insert in lieu thereof the following:
 - (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 the amount of "\$60.00" appearing in subclause (c), of clause 18, Supported Wage, and insert in lieu thereof the following:

\$61.00

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

PART B

MONETARY RATES

Table 1 - Wages

Classification	Total Rate \$
Head Salesperson (Foreperson)	612.70
Banana Ripener	551.20
Salesperson	534.80
Fork Lift Driver	525.30
General Assistant	504.40

Classification		1st MRA 20/3/96 \$	2nd MRA 14/2/97 \$	3rd MRA 17/10/98 \$	4th MRA 9/99 \$	MRA Relativity %
Head Salesperson (Foreperson)	Base	391.90	391.90	391.90	391.90	110.0
	Suppl.	48.00	57.20	66.40	75.80	
	Total	439.90	449.10	458.30	467.70	
Banana Ripener	Base	342.00	342.00	342.00	342.00	96.0
	Suppl.	41.60	49.80	58.00	66.20	
	Total	383.60	391.80	400.00	408.20	

Salesperson	Base	328.30	328.30	328.30	328.30	92.14
	Suppl.	41.60	48.80	56.00	63.50	
	Total	369.90	377.10	384.30	391.80	
Fork Lift Driver	Base	320.30	320.30	320.30	320.30	89.9
	Suppl.	38.00	45.90	53.80	62.00	
	Total	358.30	366.20	374.10	382.30	
General Assistant	Base	302.90	302.90	302.90	302.90	85.0
	Suppl.	30.50	39.80	49.10	58.50	
	Total	333.40	342.70	352.00	361.40	

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4	Meal Allowance - Commencing work before regular time or working after 5pm	10.60

4. This variation shall take effect from the first full pay period commencing on or after 17 July 2005.

I. W. CAMBRIDGE, Commissioner.

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(012)

SERIAL C3955**ANIMAL WELFARE, INSTITUTIONAL (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3327 of 2005)

Before The Honourable Mr Justice Staff

7 July 2005

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 2005. These adjustments may be offset against:
 - (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Table 1 - Wages, 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	514.60
Liaison Officer (Inspectors)	514.60
Supervisor	500.50
Veterinary Assistant	484.40
Lethalist	484.40
Animal Attendance	484.40
Handyman	484.40
All others	484.40

Table 2 : Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
1	5(ii)	Leading Hand Allowance	20.67 per week	
2	5(iv)	First-aid Allowance	10.12 per week	
3	6(ii)	Meal Allowance	8.39 per meal	
4	23(i)	Locomotion	Standing charge per week \$	Running Charge cents/km
		Horsepower of vehicle:		

		Up to and including 2,000 cc	203.92	25.01
		Over 2,000 cc	232.37	27.18
5	23(iii)	Locomotion: bicycle	4.54 per shift	

3. This variation shall take effect from the first full pay period to commence on or after 3 September 2005.

C. G. Staff J.

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(845)

SERIAL C3938

**THEATRICAL EMPLOYEES RECREATION AND LEISURE
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 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete clause 30, State Wage Case Adjustments, of the award published 13 October 2000 (319 I.G. 406), and insert in lieu thereof the following:

30. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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

(i)

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Level 1	467.40	17.00	484.40
Level 2	484.10	17.00	501.10
Level 3	506.60	17.00	523.60
Level 4	561.20	17.00	578.20
Level 5	624.40	17.00	641.40

(ii)

Junior Rates	Percentage of Appropriate Adult Rate
At 16 Years and under	55
At 17 Years	65
At 18 Years	75
At 19 Years	85
At 20 Years	100

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	3(c)	Supervisory loadings Up to 5 employees	19.80	20.40
2		6 to 10 employees	27.10	27.90
3		11 or more employees	34.90	35.90
4	19(a)	First aid allowance	11.10	11.40

3. This variation shall take effect from the first full pay period to commence on or after 26 July 2005.

P. J. SAMS *D.P.*

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(664)

SERIAL C3937**THEATRE MANAGERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete clause 4, Arbitrated Safety Net Adjustment, of the award published 24 November 2000 (320 I.G. 543), and insert in lieu thereof the following:

4. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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**

First Schedule -

- (i) Cinemas in the central city areas of the Cities of Sydney and Newcastle.
- (ii) Any cinemas regularly giving three or more performances daily.

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Manager	610.70	17.00	627.70
Assistant Manager	554.50	17.00	571.50

Second Schedule- Cinemas other than those in sub-clause (i) of the first schedule hereof, giving two performances daily or nightly.

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Manager	600.00	17.00	617.00
Assistant Manager	529.70	17.00	546.70

Third Schedule -Cinemas other than those of the First and Second Schedules hereof, giving performances on six or seven nights per week, with one or more day time performances.

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Manager	572.60	17.00	589.60
Assistant Manager	513.80	17.00	530.80

Fourth Schedule- Cinemas other than those of First, Second and Third Schedules hereof, provided, however, that cinemas giving not more than one performance per week shall be excluded from the provisions of this award.

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Manager	544.70	17.00	561.70

Fifth Schedule- All Schedules:

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Trainee Manager	470.20	17.00	487.20

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief description	Amount \$
		Management of:	
1	8 (a)	Confectionery, snack/licensed liquor bar, ordering supplies, supervision of staff, checking and banking takings	23.90 per week
2	8 (b)	Checking and banking takings, other duties of minor nature regarding confectionery, snack/licensed liquor bar	10.30 per week
3	8 (c)	Appointment licensee and holder of liquor license, accepts responsibility under State Liquor Act	17.75 per week
4	9 (b)	Intermittent Manager (one-fifth of weekly rate multiplied by number of days plus 15 per cent) with a minimum additional	24.60 per week
5	10 (b)	Casual employee engaged to work when performance takes place (with a minimum payment as for four and a quarter hours)	2.75 per hour
		Clothing and footwear allowance:	
6	20 (a)	Where dinner dress is required to be worn for one/two nights in the week	1.45 per night
7	20 (a)	On three or more nights in the week	6.90 per week
8	21 (b)	Travelling and incidental expenses	79.10 per day
9	21 (b)	Maximum	395.40 per week
10	22 (a)	Locomotion allowance	0.53 per km
11	22 (b)	Manager of more than one theatre travelling from one to the other	0.55 per km

3. This variation shall take effect from the first full pay period to commence on or after 6th August 2005.

P. J. SAMS *D.P.*

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(1341)

SERIAL C3936

SYDNEY AQUARIUM STAFF (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, industrial organisation of employees.

(No. IRC 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete clause 38, State Wage Case Adjustment, of the award published 21 September 2001 (327 I.G. 1147), and insert in lieu thereof the following:

38. State Wage Case Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case June 2005. 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 Allowances, and insert in lieu thereof the following:

PART B

MONETARY RATES AND ALLOWANCES

1. Aquarists - The following weekly rates of pay shall be the minimum rate of pay for a 38-hour week for Aquarists as defined in clause 8, Classifications and Rates of Pay:

Classification	Weekly Rate \$
Grade 5	494.60*
Grade 4	553.20*
Grade 3	613.75*
Grade 2	670.30*
Grade 1	766.27*

2. Recreation and Leisure Staff- The following weekly rates of pay shall be the minimum rate of pay for a 38-hour week for recreation and leisure staff as defined in clause 8 of this award.

Classification	Weekly Rate \$
Grade 5	484.40
Grade 4	501.10
Grade 3	523.60
Grade 2	578.20
Grade 1	641.40

3. Cleaning Staff-The following rates of pay shall be the minimum hourly rate of pay for cleaners as defined in clause 8 of this award. These rates include a component to compensate employees for cleaning toilets. The rates for casual employees are also inclusive of a casual loading and the 1/12th component payable under the *Annual Holidays Act 1944*.

Classification	Hourly Rates			
	Week day \$	Saturday \$	Sunday \$	Public Holiday \$
Cleaner (shift)				
Day shift	13.32	19.98	26.64	33.30
Afternoon shift	15.02	19.98	26.64	33.30
Night shift	16.75	19.98	26.64	33.30
Casual (shift)				
Day shift	16.10	24.15	32.20	40.25
Afternoon shift	18.31	24.15	32.20	40.25
Night shift	20.51	24.15	32.20	40.25

Leading Hand Allowance-A cleaner placed in charge of other cleaners shall be paid the following rates in addition to the relevant hourly rate of pay set out above.

	Per Week (38 hours) \$	Per Hour \$
1-5 employees	22.53	0.59
6-10 employees	25.57	0.67

4. Café Staff- The following weekly rates of pay shall be the minimum rate of pay for a 38-hour week for Café Staff as defined in clause 8 of this award.

Classification	Weekly Rate \$
Grade 5	491.30
Grade 4	508.30
Grade 3	533.90
Grade 2	552.60
Grade 1	627.60

5. First-aid Allowance of \$11.40 per week

*N.B. The weekly rates contained herein have a \$10.00 per week component to fully compensate employees in regard to all aspects of air assisted driving associated with these functions.

3. This variation shall take effect from the first full pay period to commence on or after 27th July 2005.

P. J. SAMS *D.P.*

(421)

SERIAL C3935**LAUNDRY 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 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete subclause (ii), of clause 5, Skilled Based Classification Structure of the award published 8 February 2002 (331 I.G. 63) as varied, and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Level One Employee	475.80	17.00	492.80
Level Two Employee	496.60	17.00	513.60
Level Three Employee	521.70	17.00	538.70
Level Four Employee	538.30	17.00	555.30

Table 2- Other Rates and Allowances

Item No.	Clause No.	Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	4(iii) (c)	Leading Hand Allowance 3 to 10 employees Over 10 employees	21.50 p/wk 35.25 p/wk	22.15 p/wk 36.30 p/wk
2	16(iv)	Meal Allowance	7.65	7.90
3	32(ii)	First Aid	1.70	1.75

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 11th August 2005.

P. J. SAMS *D.P.*

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(372)

SERIAL C3934**HAIRDRESSERS', &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 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete clause 10, State Wage Case Adjustments, of the award published 23 July 2004 (345 I.G. 452), and insert in lieu thereof the following:

10. State Wages Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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**

Level	Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
1	Wigmaker - Employees, male and female, doing work on or in connection with the making of wigs, toupees or other hair pieces and/or doing board work generally.	561.20	17.00	578.20
	Adult Employee - Hairdresser doing men's and/or ladies hairdressing	561.20	17.00	578.20
2	Receptionist/Salon Assistant - 21 years of age and over	529.45	17.00	546.45
3	Beautician, Electropodist, Chiropodist - All as defined	525.20	17.00	542.20
4	Manicurist - as defined over 18 years of age	512.45	17.00	529.45
5	Manicurist - over 18 years of age but less than 21 years of age, entering the industry without experience	450.00	17.00	467.00

Table 2- Other Rates and Allowances

Item No	Clause No.	Brief Description	SWC 2004 Amount \$	SWC 2005 Amount \$
1	7(v)	Meal Allowance per meal	7.40	7.60
2	9(iv)	Employee in Charge per week	30.50	31.40
3	13(ii)	Tool Allowance per week	7.35	7.55
4	14	Health Department per hour	0.88	0.91
5	15	Laundry per week	5.10	5.20
6	16	First Aid per week	8.65	8.90
7	18	Transport per km	0.64	0.66

"Note": These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 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 25 July 2005.

P. J. SAMS *D.P.*

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EXHIBITION 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 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete clause 28, State Wage Case Adjustments, of the award published 6 October 2000 (319 I.G. 1), and insert in lieu thereof the following:

28. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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**

The minimum rate of pay for any weekly employee under this award shall be prescribed hereunder for the relevant classification:

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Assistant Technician	531.50	17.00	548.50
Assistant Technician- Experienced	616.00	17.00	633.00
Technician	656.20	17.00	673.20
Guest Host/Customer Liaison Person	620.50	17.00	637.50
Designer/Planner	834.20	17.00	851.20

Table 2 - Casual Rates

The minimum hourly rate of pay for a casual employee under this award shall be as prescribed hereunder for the relevant classification.

Casual employees shall be paid for a minimum of four hours worked on any call, to be worked continuously except for meal breaks.

The hourly rates contained herein have been loaded by twenty per cent to compensate casual employees for all incidents of paid leave arising from this award as well as annual leave.

Note: The amount of the adjustment to hourly rates for casuals shall be determined in the following manner. The State Wage Case adjustment amount (if any) shall be divided by 38 and the resulting amount loaded by 20%

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Assistant Technician	15.65	0.55	16.20
Assistant Technician - Experienced	16.55	0.55	17.10
Technician	18.20	0.55	18.75
Casual Loader			
8.00am to 6.00pm	15.15	0.55	15.70
6.00pm to Midnight	17.65		18.20
Midnight to 8.00am	22.10		22.65
Casual Stage Hands			
8.00am to 6.00pm	17.60	0.55	18.15
6.00pm to Midnight	20.85		21.40
Midnight to 8.00am	26.30		26.85

Saving Provision - The rates of pay outlined in Table 1 - Rates of Pay and Table 2 Casual Rates shall be applied so as to ensure that:

- (a) No employee shall suffer any loss of weekly or ordinary time rates or reduction in conditions of employment as a result of the making of this award. For the purpose of this subclause any employee terminated and then re-employed by the same employer for the purpose of circumventing this provision shall be re-employed on the same classification.
- (b) The provision of this clause in so far as it applies to rates of pay shall apply only to the employee's rate of pay for his or her ordinary hours of work, however, the union shall have the right to refer any individual case in which the provisions of the subclause may operate unfairly to the Industrial Relations Commission of New South Wales for conciliation and/or arbitration.

Table 3 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	27(c)	Meals and incidental expenses allowance	37.50 per day
2	27(c)	Reduced meals and incidental expenses allowance	10.95 per day

3. This variation shall take effect from the first full pay period to commence on or after 6 August 2005.

P. J. SAMS *D.P.*

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(512)

SERIAL C3932**THE BUSINESS EQUIPMENT MAINTENANCE (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by the Australian Workers' Union New South Wales, industrial organisation of employees.

(No. IRC 3152 of 2005)

Before Mr Deputy President Sams

1 July 2005

VARIATION

1. Delete subclause (iv) of clause 3, Wages, of the award published 16 May 1997 (298 I.G. 531), and insert in lieu thereof the following:
 - (iv) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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:

Table 1 - Rates of Pay

Classification	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
Office Equipment Mechanic	561.20	17.00	578.20

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	SWC 2004 Amount \$	SWC2005 Amount \$
1	3(ii)	Leading Hands - in charge of not less than three and not more than 10 employees in charge of 10 and not more than 20 employees in charge of more than 20 employees	25.40p/wk 38.05p/wk 48.30 p /wk	26.15 p/wk 39.20 p/wk 49.75 p/wk
2	8	Standing-by allowance	9.10 p/hr	9.35 p/hr
3	11(i)(ii)	Meal allowance	9.00 p/meal	9.25 p/meal
4	16(vi)(b)	Meal allowance included as reasonable expenses whilst travelling	9.00 p/meal	9.25 p/meal
5	16(vi)(b)	Additional meal allowance for evening meal whilst travelling	9.00 p/meal	9.25 p/meal
6	16(vi)(c)	Living away from home allowance	64.20 p/day	67.00 p/day
7	16(vi)(c)	Evening meal allowance paid in addition to living away from home allowance	12.50	12.90
8	29(v)	Laundry allowance	2.05 p/wk	2.10 p/wk

Note: These allowances are contemporary for expense related allowances as at 30 March 2005 and for work related allowances are inclusive of adjustment in accordance with the June 2005 State Wage Case Decision of the Industrial Relations Commission of New South Wales.

3. This variation shall take effect from the first pay period to commence on or after 20 July 2005.

P. J. SAMS *D.P.*

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(518)

SERIAL C3941**PARKING ATTENDANTS, &c. (STATE) CONSOLIDATED AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3461 of 2005)

Before Commissioner McLeay

27 July 2005

VARIATION

1. Delete clause 6, Wages, of the award published 8 December 2000 (320 I.G. 1171) and insert in lieu thereof the following:

6. Wages

- (i) The minimum adult weekly rates of pay for each classification, are as set out in Table 1 - Wages, of Part B, Monetary Rates.
- (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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.
- (iii) Junior Employees - The minimum rates of pay to be paid to junior employees shall be the following percentages of the appropriate adult rate of pay as prescribes in subclause (i) of this clause:

	Percentage per week
Under 18 years of age	70
At 18 years of age	100

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

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

Award Classification	Relativity to Metal Industry Tradesperson	Weekly Rates for Full Time Employees		
		A Former Rates per week \$	B SWC 2005 per week \$	C Total Rates per week \$
Parking Attendant	82.0%	484.10	17.00	501.10

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount Payable \$
1	6A	Meal Allowance	7.70 per meal
2	6A	Employee in Charge Allowance	29.10 per week
3	6A	First Aid Allowance - Weekly Employee	13.10 per week
4	6A	First Aid Allowance - Other Employee	2.60 per shift
5	6A	Laundry Allowance - Weekly Employee	9.90 per week
6	6A	Laundry Allowance - Other Employee	1.95 per shift

3. This variation shall take effect from the beginning of the first pay period to commence on or after 27th July 2005.

J. McLEAY, Commissioner.

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(480)

SERIAL C3942**MISCELLANEOUS GARDENERS, &c. (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, an industrial organisation of employees.

(No. IRC 3573 of 2005)

Before Commissioner McLeay

27 July 2005

VARIATION

1. Delete paragraph (b) of subclause (i) of Clause 10, Wages of the award published 20 April 2001 (324 I.G. 16) as varied and insert in lieu thereof the following clause:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (1) any equivalent overaward payments, and/or
 - (2) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Former Rate Per Week \$	SWC 2005 \$	New Rate Per Week \$
Introductory Level	467.40	17.00	484.40
Level 1	484.10	17.00	501.10
Level 2	506.60	17.00	523.60
Level 3	527.50	17.00	544.50
Level 4	561.20	17.00	578.20

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Former Amount \$	New Amount \$
1	11(i)	Leading Hand Allowance	22.35 per week, or 4.46 per day	23.02 per week, or 4.59 per day
2	11(ii)	First Aid Certificate	12.16 per week	12.52 per week
3	11(ii)	First Aid Certificate	2.43 per day	2.50 per day
4	11(iii)	Meal Money	7.51 per meal	7.74 per meal

3. This variation shall take effect from the first full pay period to commence on or after 4 September 2005.

J. McLEAY, Commissioner.

Printed by the authority of the Industrial Registrar.

(481)

SERIAL C3963

MISCELLANEOUS WORKERS' - INDEPENDENT SCHOOLS AND COLLEGES, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3576 of 2005)

Before Commissioner Cambridge

28 July 2005

VARIATION

1. Delete subclause (v), of clause 13, Wages and Classification Structure, of the award published 4 May 2001 (324 I.G. 579), and insert in lieu thereof:

(v) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:

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

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

PART B

MONETARY RATES

Table 1 - Wage Rates

Classification	Wages as of 7 September 2004 Per Week \$	State Wage Case 2005 Increase	Wages as of 7 September 2005 Per Week \$
Level 6	610.70	17.00	627.70
Level 5	588.30	17.00	605.30
Level 4	550.40	17.00	567.40
Level 3	529.70	17.00	546.70
Level 2	517.90	17.00	534.90
Level 1	505.60	17.00	522.60

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Allowances as of 7 September 2004 \$	Allowances as of 7 September 2005 \$
1	11(v)(a) and (b)	Meal Allowance - Overtime		
		First Meal	8.00	8.20
		Second and subsequent meals	8.00	8.20
2	15(i)	Toilet Cleaning	7.22 per week	7.44 per week

3	15 (ii)	Leading Hands in Charge of: 1-5 employees 6-10 employees 11-15 employees 16-20 employees Over 20 employees Each extra employee over 20 employees	Per Week 18.31 22.77 30.59 36.98 36.98 0.52 cents	Per Week 18.86 23.45 31.51 38.09 38.09 0.54 cents
4	15 (iii)	First Aid Allowance	10.98 per week 2.19 per day	11.31 per week 2.26 per day
5	15 (iv)(a) and (b)	Uniforms - Laundering Allowances Uniforms Aprons Chefs Overalls Trousers	6.22 per week 1.24 per shift 2.77 per week 8.50 per week	6.31 per week 1.26 per shift 2.81 per week 8.62 per week
6	15(v)	Qualification Allowance Cleaning Supervisor's Course	14.90 per week 2.98 per day	15.35 per week 3.07 per day
7	15(viii)	Refuse Disposal - Cleaners	0.78 cents per hour Maximum 15.70 per week	0.80 cents per hour Maximum 16.17 per week
8	15(ix)	Multi-purpose Machines - cleaners	1.99 per shift	2.05 per shift
9	15(x)	Locomotion Allowance - General Service Employees Stream Employee providing own vehicle Employee providing own bicycle	20.20 per shift plus fuel 1.83 per shift	20.81 per shift plus fuel 1.88 per shift
10	16(i)(a), 16(i)(b), 16(i)(c)	Broken Shift Allowances (a) Three shifts per day (b) Two shifts per day	7.68 per day 3.52 per day	7.91 per day 3.63 per day
11	16(i)(c)	Excess Fares Allowances	7.40 per week	7.60 per week
12	33(ii)	Tool Allowance - Apprentice Cooks - where tools not supplied	0.76 per week	0.78 per week

3. The variation shall take effect from the first full pay period to commence on or after 7 September 2005.

I. W. CAMBRIDGE, Commissioner.

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PASTORAL EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Australian Workers' Union, New South Wales, an industrial organisation of employees.

(No. IRC 4162 of 2005)

Before The Honourable Justice Schmidt

15 August 2005

VARIATION

1. Delete subclause (a) of clause 74, Safety Net and State Wage Case Commitments, of the award published 26 October 2001 (328 I.G. 1188) and insert in lieu thereof the following:
 - (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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

Clause No.	Rates for Shearers	Rate \$
10(a)(i)	If "not found": For flock sheep (wethers, ewes and lambs) by machine With own handpiece	202.85 per 100 206.21 per 100
10(a)(viii)	If "found": The rates prescribed for "not found" in clause 10 (a)(i) less	19.50 per day
10(a)(ix)	Engagement by the day, handpiece provided: "Not found" "Found" "Found" If using own handpiece: "Not found" "Found"	151.60 per day 132.10 per day 154.00 per day 134.50 per day

Clause No.	Rates for Crutching	Rate per 100 at sheds \$	Rates per 100 other than at sheds \$
11(a)	If "Not found" - Full crutching, that is, shearing the inside and parts of the legs, between the legs, and around and above the tail. In addition when required: Removing wool that has been struck by blowfly; and/or		

	Lifting the bottom leg and shearing that leg prior to turning sheep to complete the shearing around and above the tail; and/or giving up to two blows above the tail	58.80	50.70
	All other crutching	46.65	40.60
	For wiggging or ringing	22.30	22.30
	For either wiggging or ringing in addition to crutching - crutching rates plus	6.10	6.10
	For wiggging and ringing	36.50	36.50
	For wiggging and ringing in addition to crutching - crutching rates plus	10.15	10.15
	For clearing the belly of any ewe above the teats (not more than two blows of the machine or shears) - crutching rates plus	5.10	5.10
	For rams and ram stags - double the rates prescribed in paragraphs (i) to (vi) of subclause (a) of clause 10, Rates for Shearers		
	Handpiece Allowance	1.12 per 100	1.12 per 100
	For Stud ewes and their lambs - one and one quarter of the rates prescribed in paragraphs (i) to (vi) of subclause (a) of the said clause 10.		
11(b)	If "Not"found" - Piecework rates Use of own handpiece	151.60 154.00	151.60 154.00
11(c)	Per Day: If "found", the rates as per piecework rates above less	19.50 per day	19.50 per day

Clause No.	Rates for Shed Hands	Per Run \$
12	If "not found" - Adults: For adults with 65 days or more experience as a shed hand For adults with less than 65 days experience as a shed hand	40.10 38.60
	Juniors - 18 to 20 years - With 65 work days or more experience as a shed hand With less than 65 work days experience as a shed hand Under 18 years - With 65 work days experience as a shed hand With less than 65 work days experience as a shed hand If "found" - The rates prescribed for adults for "not found" less	36.10 34.75 28.05 27.00 19.50

Clause No.	Rates for Woolpressers	Per Kilo \$	Per Bale \$
13(a)(i)	If "not found" - For pressing: By hand By power	0.0850 0.0567	12.96 8.64
13(a)(ii)	For weighing and branding bales Minimum weekly rate (per run x no. of runs)		0.26 per bale extra 41.65 per run
13(a)(v)	If "found" - The rates prescribed for "not found" in clause 13 (a)(i)(ii) less		19.50 per day
13(c)	Woolpressers engaged at timework rates: If "not found" If "found" - the rate prescribed for "not found" less		41.65 Per run 19.50 per run

Clause No.	Rates for Shearing Cooks	Per Week \$
14(a)	If "found" - Cooking for up to 13 persons Cooking for 13 person and over	174.64 per day 13.51 per person per day

Clause No.	Rates for Station Hands	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
50(a)(i)(1)	Without keep - Station Hand Grade 1	467.40	17.00	484.40
50(a)(i)(2)	General Station Hand Grade 2	492.40	17.00	509.40
50(a)(i)(3)	Senior Station Hand Grade 3	517.50	17.00	534.50
50(a)(i)(4)	Rural Tradesperson	561.40	17.00	578.40
50(a)(iii)	Adult Station Hand engaged by the day Without keep			14.07 per hour
	With keep - The weekly rates prescribed above, less		82.30	84.75

Clause No.	Rates for Station Cooks	SWC 2004 Amount \$	SWC 2005 Adjustment \$	SWC 2005 Amount \$
50(b)	Cook who cooks for 13 persons or less on the average of the week	467.40	17.00	484.40

The cook shall not be included when counting the average number of persons cooked for.

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	18(d)	Learner's comb/cutters allowance	8.25 per week
2	22(a)(ii)	Sleeping quarters allowance	32.10 per night
3	22(a)(ii)	Excess travelling time allowance	10.95 per hour
4	22(b)(i)	Travelling allowance (Shearers/Crutchers only)	8.25 per day
5	22(b)(ii)	Vehicle allowance	0.26 per km
6	23(d)(i) & 54 (c)	Meat charge (if supplied by the employer)	0.38 per kg
7	26(a)	Breakdown of machinery allowance - "not found" "found" With own handpiece - "not found" "found"	122.00 per day 101.85 per day 124.05 103.90
8	31(e)	Charge for injured sheep	1.41 per sheep
9	37(g)	Leaving forfeiture - Maximum	926.62
10	39(g)	Excess rate for waiting time - Leaving or discharge	120.10 per day
11	39(h)	Excess rate for waiting time - Cut-out	120.10 per day
12	52(a)	Own horse allowance	2.00 per week
13	52(a)	Own saddle allowance	1.60 per week
14	52(c)	Jetting/spraying/swabbing sheep	0.93 per day
15	62	Meal Allowance-travelling	0.87 per day
16	62	Accommodation Allowance- travelling	2.65 per night

3. Delete Schedule B, Formula and insert in lieu thereof the following:

SCHEDULE B

FORMULA

Shearer's Formula

	\$
Total Rate	513.20
Plus 20% piecework allowance - total rate x 20%	102.64
Plus 20% casual loading - total rate x 20%	102.64
Plus shearing industry allowance	222.00
- delays for wet weather	40.75
- travelling	63.45
- isolation and discomfort	78.50
- rations	39.30
Total	940.48
Rates per 100 conversion - total divided by 5	188.10
Plus disability allowance	1.45
Plus allowance for combs/ cutters	13.30
Total Rate per 100	202.85
Plus payment for handpiece	3.36
Total	206.21
Crutching Rates -	
Full crutching at sheds: 29% of shearer's per 100 rate	58.80
All other crutching at sheds: 23% of shearers per 100 rate	46.65
Full crutching other than at sheds: 25% of shearer's per 100 rate	50.70
All other crutching other than at sheds: 20% of shearer's per 100 rate	40.60
Wigging or ringing: 11% of shearer's per 100 rate	22.30
Wigging or ringing in addition: 3% of shearer's per 100 rate	6.10
Wigging and ringing: 18% of shearer's per 100 rate	36.50
Wigging and ringing in addition: 5% of shearer's per 100 rate	10.15
Cleaning bellies, etc: 2.5% of shearer's per 100 rate	5.10
Lack of amenities allowance (per day)	6.55
Handpiece allowance (per 100)	1.12

	Handpiece provided \$	Handpiece not provided \$
Daily rate - "Not found" - Old daily rate x Shearer's rate per 100 divided by old shearer's rate per 100	151.60	154.00
"Found" - Not found rate less found deduction	132.10	134.50

Learners -	Per run \$
Inexperienced adult shed hand rate	38.60
Experienced adult shed hand rate	40.10
	Per week \$
Combs and cutters allowance: 62.25% of shearer's combs and cutters allowance per 100	8.30
Shearing Cook's Formula - Base rate	509.14
Safety Net Adjustment	17.00
Total Rate	526.14

Plus 20% casual loading - total rate x 20%	105.23
Plus 20% long hours allowance - total rate x 20	105.23
Plus shearing industry allowance	141.60
Travelling	63.20
Isolation / discomfort	78.40
Total	878.20
Daily rate - total divided by 5	175.64
Per employee per day rate - daily rate divided by 13	13.51
Shed Hands (Adult) Formula -	Amount
With less than 65 work days experience:	\$
Base Rate	442.38
Safety Net Adjustment	17.00
Total Rate	459.38
Plus 20% casual loading - new base wage rate x 20%	91.88
Plus shearing industry allowance	221.60
- delays for wet weather	40.60
- travelling	63.30
- isolation/discomfort	78.50
- rations	39.20
Total	772.86
Per run - total divided by 20	38.60
With more than 65 work days experience:	
Base rate	467.42
Safety Net Adjustment	17.00
Total rate	484.42
Plus 20% casual loading - new base wage rate x 20%	96.88
Plus shearing industry allowance	221.60
- delays for wet weather	40.60
- travelling	63.30
- isolation/discomfort	78.50
- rations	39.20
Total	802.90
Per run - total divided by 20	40.10
Juniors:	
18-20 years:	
With 65 work days or more experience as shed hand - 90% of equivalent adult rate	36.10
With less than 65 work days experience as a shed hand -90% of equivalent adult rate	34.75
Under 18 years:	
With 65 work days or more experience as shed hand - 70% of equivalent rate	28.05
With less than 65 work days experience as a shed hand - 70% of equivalent adult rate	27.00

Woolpresser's Formula	Piecework \$	Timework \$
Base Rate	472.80	492.45
Safety Net Adjustment	17.00	17.00
Total	489.80	509.45
Plus 20% piecework allowance- total rate x 20%	97.96	101.89
Plus 20% casual loading - total rate x 20%	97.96	
Plus shearing industry allowance	221.60	221.60
- delays for wet weather	40.60	40.60
- travelling	63.30	63.30

- isolation/discomfort	78.50	78.50
- rations	39.20	39.20
Total per week	907.32	832.94
Per run - total divided by 20	45.37	41.65
- by hand - per bale - total divided by 70	12.96	
- by hand - per kilo - rate divided by 152.4	0.0850	
- by power - per bale - by hand per bale rate x 2/3	8.64	
- by power - per kilo - rate divided by 152.4	0.0567	

Additional Rates -	Per day \$
Found deduction - cooks per employee per day rate plus \$6.00 per rations	19.50
Breakdown allowance - old rate x shearer's rate per 100 divided by old shearer's rate per 100:	
- Not found - handpiece provided	122.00
- handpiece not provided	124.05
- Found - handpiece provided	101.85
- handpiece not provided	103.90
Waiting time - old rate x shearer's rate per 100 divided by old shearer's rate per 100	122.00
Absence from work - shearer's weekly wage equivalent (rate per 100 x 5)	1014.25

4. Delete Schedule C and insert in lieu thereof the following:

SCHEDULE C

ECONOMIC INCAPACITY

- (1) Employers listed in this Schedule have been granted a postponement in the payment of wages and allowance increases flowing from the State Wage Case 2005 Decision in respect of employees engaged pursuant to Section II - Station Hands, of the award due to adverse economic circumstances as a consequence of drought. The list can be added to or subtracted from at any time subject to a ruling of the Industrial Relations Commission of New South Wales. The postponement commences from the date the application is approved until 1 August 2006 subject to the capacity to make a further application at that time.
- (2) Applications will be dealt with by the Industrial Relations Commission of New South Wales in accordance with the process outlined in the decision of Vice President Ross of the Australian Industrial Relations Commission in PR 940769 (19 November 2003) on the proviso that any reference in that decision to industrial tribunals, industrial provisions or principles in the jurisdiction of the Commonwealth of Australia shall be read as referring, where practicable, to its State counterpart in New South Wales.
- (3) The wages to be paid by the employers listed in the Schedule relate to Section II - Station Hand employees. The following wage rates and allowances correspond to the relevant clauses in this award:

Clause No.	Rate \$
50(a)(i)(1)	467.40
50(a)(i)(2)	492.40
50(a)(i)(3)	517.50
50(a)(i)(4)	561.40
50(a)(i)	82.30
50(b)	467.40

52(a)	1.95 and 1.55 respectively
52(c)	0.90
62	0.84 and 2.55 respectively

- (4) The Commission has approved the application to postpone wage and allowance increases in accordance with clauses 1 and 2 of this Schedule to the following employers:

Employer Name	Employer Address	Operative Date
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5. This variation shall take effect from the beginning of the first full pay period to commence on or after 31 December 2005.

M. SCHMIDT J.

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(118)

SERIAL C3969

CLERICAL AND ADMINISTRATIVE EMPLOYEES (BLUESCOPE STEEL (AIS) PTY LTD 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 4075 of 2005)

Before The Honourable Justice Schmidt

15 August 2005

VARIATION

1. Delete paragraph (b), of subclause (x), of clause 1, Classification Structure and Salaries, of the award published 4 September 1998 (306 I.G. 452), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:-
 - (1) any equivalent over award payments, and/or
 - (2) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

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

PART B

MONETARY RATES

Table 1 - Salaries

- (i) Adults

Grade	Former Weekly Rate Pre SWC 2005 \$	SWC 2005 \$	Weekly Award Rate \$
5	663.50	17.00	680.50
4	602.90	17.00	619.90
3	561.20	17.00	578.20
2	527.50	17.00	544.50
1	506.60	17.00	523.60

- (iii) Juniors - The minimum rates of salaries per 38-hour week for junior employees shall be as follows:

- (a) Stenographer, comptometer operator, ledger posting or similar accounting machine operator, data processing machine operator, tabulating machine operator, computer operator, card punch machine operator, verifier operator.

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$
At 17 years of age	249.20	3	256.70
At 18 years of age	306.85	3	316.05

At 19 years of age	350.80	3	361.30
At 20 years of age	414.25	3	426.70

(b) All other junior employees -

Age	Former Rate Per Week \$	SWC 2005 %	Weekly Rate \$
Under 17 years	195.55	3	201.40
At 17 years of age	245.00	3	252.35
At 18 years of age	300.15	3	309.15
At 19 years of age	340.40	3	350.60
At 20 years of age	400.60	3	412.60

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

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9(1)(a)	Shift clerks - rotating shifts	43.40
2	9(1)(a)	Shift clerks - additional shift allowance	28.50
3	9(1)(b)(i)	Day shift, night shift	43.40
4	9(1)(b)(ii)	Day shift, afternoon shift	36.70
5	9(1)(b)(iii)	Day shift, day shift, afternoon shift	36.70
6	9(1)(b)(iv)	Day shift, day shift, night shift	36.70
7	9(1)(c)	Junior shift clerks	43.40
8	9(1)(d)	Adult shift clerks working only afternoon and/or night shifts	58.10
9	9(3)	Afternoon or night shift - other shift system	17.30
10	13(4)(c)(ii)	Overtime for more than 1 ½ hours - meal allowance	9.40

4. This variation shall take effect from the first full pay period to commence on or after 5 September 2005.

M. SCHMIDT J.

(127)

SERIAL C3968

CLERICAL AND ADMINISTRATIVE EMPLOYEES (BLUESCOPE STEEL LIMITED - PORT KEMBLA) 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 4075 of 2005)

Before The Honourable Justice Schmidt

15 August 2005

VARIATION

1. Delete paragraph (b), of subclause (x), of clause 1, Classification Structure and Salaries, of the award published 4 September 1998 (306 I.G. 533), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (1) any equivalent over award payments, and/or
 - (2) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

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

PART B

MONETARY RATES

Table 1 - Salaries

- (i) Adults

Grade	Former Weekly Rate Pre SWC 2005 \$	SWC 2005 \$	Weekly Award Rate \$
5	663.50	17.00	680.50
4	602.90	17.00	619.90
3	561.20	17.00	578.20
2	527.50	17.00	544.50
1	506.60	17.00	523.60

- (iii) Juniors - The minimum rates of salaries per 38-hour week for junior employees shall be as follows:

- (a) Stenographer, comptometer operator, ledger posting or similar accounting machine operator, data processing machine operator, tabulating machine operator, computer operator, card punch machine operator, verifier operator.

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$
At 17 years of age	249.20	3	256.70
At 18 years of age	306.85	3	316.05

At 19 years of age	350.80	3	361.30
At 20 years of age	414.25	3	426.70

(b) All other junior employees -

Age	Former Rate Per Week \$	SWC 2005 %	Weekly Rate \$
Under 17 years	195.55	3	201.40
At 17 years of age	245.00	3	252.35
At 18 years of age	300.15	3	309.15
At 19 years of age	340.40	3	350.60
At 20 years of age	400.60	3	412.60

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

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9(1)(a)	Shift clerks - rotating shifts	43.40
2	9(1)(a)	Shift clerks - additional shift allowance	28.50
3	9(1)(b)(i)	Day shift, night shift	43.40
4	9(1)(b)(ii)	Day shift, afternoon shift	36.70
5	9(1)(b)(iii)	Day shift, day shift, afternoon shift	36.70
6	9(1)(b)(iv)	Day shift, day shift, night shift	36.70
7	9(1)(c)	Junior shift clerks	43.40
8	9(1)(d)	Adult shift clerks working only afternoon and/or night shifts	58.10
9	9(3)	Afternoon or night shift - other shift system	17.30
10	13(4)(c)(ii)	Overtime for more than 1½ hours - meal allowance	9.40

4. This variation shall take effect from the first full pay period to commence on or after 5 September 2005.

M. SCHMIDT J.

(126)

SERIAL C3967

CLERICAL AND ADMINISTRATIVE EMPLOYEES, SANKEY AUSTRALIA 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 4075 of 2005)

Before The Honourable Justice Schmidt

15 August 2005

VARIATION

1. Delete paragraph (b), of subclause (x), of clause 1, Classification Structure and Salaries, of the award published 4 September 1998 (306 I.G. 506), and insert in lieu thereof the following:

(b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 subclauses (i) and (iii), of Table 1 - Salaries Part B Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Salaries

(i) Adults

Grade	Former Weekly Rate Pre SWC 2005 \$	SWC 2005 \$	Weekly Award Rate \$
5	663.50	17.00	680.50
4	602.90	17.00	619.90
3	561.20	17.00	578.20
2	527.50	17.00	544.50
1	506.60	17.00	523.60

(iii) Juniors - The minimum rates of salaries per 38-hour week for junior employees shall be as follows:

(a) Stenographer, comptometer operator, ledger posting or similar accounting machine operator, data processing machine operator, tabulating machine operator, computer operator, card punch machine operator, verifier operator.

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$
At 17 years of age	249.20	3	256.70
At 18 years of age	306.85	3	316.05

At 19 years of age	350.80	3	361.30
At 20 years of age	414.25	3	426.70

(b) All other junior employees -

Age	Former Rate Per Week \$	SWC 2005 %	Weekly Rate \$
Under 17 years	195.55	3	201.40
At 17 years of age	245.00	3	252.35
At 18 years of age	300.15	3	309.15
At 19 years of age	340.40	3	350.60
At 20 years of age	400.60	3	412.60

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

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	10(1)(a)	Shift clerks - rotating shifts	43.40
2	10(1)(a)	Shift clerks - additional shift allowance	28.50
3	10(1)(b)(i)	Day shift, night shift	43.40
4	10(1)(b)(ii)	Day shift, afternoon shift	36.70
5	10(1)(b)(iii)	Day shift, day shift, afternoon shift	36.70
6	10(1)(b)(iv)	Day shift, day shift, night shift	36.70
7	10(1)(c)	Junior shift clerks	43.40
8	10(1)(d)	Adult shift clerks working only afternoon and/or night shifts	58.10
9	10(3)	Afternoon or night shift - other shift system	17.30
10	14(4)(c)(ii)	Overtime for more than 1 ½ hours - meal allowance	9.40

4. This variation shall take effect from the first full pay period to commence on or after 5 September 2005.

M. SCHMIDT J.

Printed by the authority of the Industrial Registrar.

(121)

SERIAL C3966

CLERICAL AND ADMINISTRATIVE EMPLOYEES - ONESTEEL MANUFACTURING PTY LTD 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 4075 of 2005)

Before The Honourable Justice Schmidt

15 August 2005

VARIATION

1. Delete paragraph (b), of subclause (x), of clause 1, Classification Structure and Salaries, of the award published 4 September 1998 (306 I.G. 369), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:-
 - (1) any equivalent over award payments, and/or
 - (2) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

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

PART B

MONETARY RATES

Table 1 - Salaries

(i) Adults

Grade	Former Weekly Rate Pre SWC 2005 \$	SWC2005 \$	Weekly Award Rate \$
5	663.50	17.00	680.50
4	602.90	17.00	619.90
3	561.20	17.00	578.20
2	527.50	17.00	544.50
1	506.60	17.00	523.60

(ii) Provided that:

- (a) No employee employed as at 29 October 1997 is to receive less pay as a result of regrading under this award. In the event that such regrading results in a lower grading, the present salary is to be maintained until overtaken by award increases.

- (b) Over-award payments may be absorbed into any increases arising under the award.

(iii) Juniors - The minimum rates of salaries per 38-hour week for junior employees shall be as follows:

- (a) Stenographer, comptometer operator, ledger posting or similar accounting machine operator, data processing machine operator, tabulating machine operator, computer operator, card punch machine operator, verifier operator.

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$
At 17 years of age	249.20	3	256.70
At 18 years of age	306.85	3	316.05
At 19 years of age	350.80	3	361.30
At 20 years of age	414.25	3	426.70

- (b) All other junior employees -

Age	Former Rate Per Week \$	SWC 2005 %	Weekly Rate \$
Under 17 years	195.55	3	201.40
At 17 years of age	245.00	3	252.35
At 18 years of age	300.15	3	309.15
At 19 years of age	340.40	3	350.60
At 20 years of age	400.60	3	412.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	10(1)(a)	Shift clerks - rotating shifts	43.40
2	10(1)(a)	Shift clerks - additional shift allowance	28.50
3	10(1)(b)(i)	Day shift, night shift	43.40
4	10(1)(b)(ii)	Day shift, afternoon shift	36.70
5	10(1)(b)(iii)	Day shift, day shift, afternoon shift	36.70
6	10(1)(b)(iv)	Day shift, day shift, night shift	36.70
7	10(1)(c)	Junior shift clerks	43.40
8	10(1)(d)	Adult shift clerks working only afternoon and/or night shifts	58.10
9	10(3)	Afternoon or night shift - other shift system	17.30
10	14(4)(c)(ii)	Overtime for more than 1 ½ hours - meal allowance	9.40

4. This variation shall take effect from the first full pay period to commence on or after 5 September 2005.

M. SCHMIDT J.

Printed by the authority of the Industrial Registrar.

(582)

SERIAL C3964

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

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch,
industrial organisation of employees

(No. IRC 4246 of 2005)

Before The Honourable Mr Justice Staff

22 August 2005

VARIATION

1. Delete subclause (b), of clause 4, Wage Rates, of the award published 8 February 2002 (331 I.G. 120), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 2005 \$	New Rate Per Week \$
A	522.70	17.00	539.70
B	519.00	17.00	536.00
C	516.80	17.00	533.80
D	512.80	17.00	529.80
E	501.80	17.00	518.80
F	496.10	17.00	513.10
G	493.90	17.00	510.90
H	492.80	17.00	509.80
I	490.10	17.00	507.10
J	486.80	17.00	503.80
K	485.10	17.00	502.10
L (all others)	484.00	17.00	501.00
L (glove manufacture with less than 6 months' experience)	478.90	17.00	495.90
M	476.40	17.00	493.40

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(e)	Leading Hand 1-5 employees	22.20 per week
2	4(e)	Leading Hand 6-10 employees	28.10 per week
3	4(e)	Leading Hand 11-15 employees	38.60 per week
4	4(f)	First Aid	9.20 per week
5	7(a)	Repairing Harness - Offensive Nature	0.39 per hour
6	7(b)	Repairing Canvas - Offensive Nature	0.38 per hour
7	8(b)	Operating a Forklift	0.44 per hour
8	12(c)	Meal Allowance - more than one & one half hours overtime	10.15
9	12(c)	Meal Allowance - where employee has provided a meal and not required to work	9.30

3. This variation shall take effect on and from the beginning of the first full pay period to commence on or after 31 August 2005.

C. G. Staff J.

Printed by the authority of the Industrial Registrar.

(279)

SERIAL C3958**DENTAL ASSISTANT'S AND SECRETARIES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Dental Assistant's Association, industrial organisation of employees.

(No. IRC 3200 of 2005)

Before Commissioner Macdonald

6 July 2005

VARIATION

1. Delete Part B Monetary Rates of the award published 27 February 2004 (343 I.G. 434), and insert in lieu thereof the following:

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

- (i) Adults:

Level	Weekly Rate of Pay (\$) Operative from first full pay period to commence on or after 13/04/05	State Wage Case 2004 (\$19.00) \$
1	487.60	506.60
2	508.50	527.50
3	542.20	561.20
4	583.90	602.90
5	644.50	663.50

- (ii) Juniors:

Age	Weekly Rate of Pay (\$) Operative from first full pay period to commence on or after 13/4/05	State Wage Case 2004 (3.5%) \$
At 16 years of age	235.90	244.15
At 17 years of age	258.00	267.00
At 18 years of age	318.80	329.95
At 19 years of age	364.40	377.15
At 20 years of age	430.20	445.25

Table 2 - Allowances

Item No	Clause	Brief Description	Amount \$
1	3 (ii)	Saturday Ordinary Time	12.05
2	4 (iv)	Meal money	10.40
3	17	Clothing allowance	7.25
4	23	First - Aid	8.40

NOTE:

The expense related allowances in this Award have been varied to take into account movements in the Consumer Price Index up to and including the quarter ending March 2005.

4. This variation shall take effect from the first full pay period to commence on or after 6 July 2005.

A. W. MACDONALD, Commissioner.

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INDEPENDENT COMMISSION AGAINST CORRUPTION AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales, industrial organisation of employees.

(No. IRC 2251 of 2005)

Before The Honourable Justice Schmidt

11 May 2005

VARIATION

1. Insert at the end of clause 5, ICAC Officer Classification and Salary Structure, of the award published 3 September 2004 (346 I.G. 227) the following new paragraph:

The annual salaries of ICAC staff covered by this Award shall be adjusted by an increase of four percent (4%) with effect from the beginning of the first pay period to commence on or after 2 July 2004, and a further four percent (4%) with effect from the beginning of the first pay period to commence on or after 1 July 2005.

2. Delete paragraph 10.3.4 of clause 10, Conditions of Employment, and insert in lieu thereof the following:

10.3.4 Long Service Leave (Extended Leave)

The ICAC long service leave entitlements are:

Long Service Leave (LSL) entitlement after 10 years service - 2 months (44 working days) on full pay and 11 working days for every year of service thereafter. LSL may be taken at half pay.

LSL entitlement after 7 years service - staff with 7 years or more service will be entitled to take (or be paid out on resignation) LSL in the usual manner. The quantum of leave available is that which would have applied if pro rata leave was granted. No repayment will be required if a staff member does not reach 10 years service.

LSL entitlement after 5 years service but less than 7 years service - If the ICAC terminates employment for reasons other than serious and intentional misconduct, or, staff leave on account of illness, incapacity or domestic or other pressing necessity, staff are entitled to 1 month's LSL for 5 years service plus a pro-rata rate for service of between 6 and 7 years.

LSL on Double Pay - A staff member with an entitlement to LSL may elect to take leave at double pay. The additional payment will be made as a non-superable taxable allowance payable for the period of the absence from work. The staff member's leave balance will be debited for the actual period of the absence from work and an equivalent number of days as are necessary to pay the allowance. Other leave entitlements, eg recreation leave, sick leave and LSL will accrue at the single time rate where a staff member takes LSL at double time. Superannuation contributions will only be made on the basis of the actual absence from work, i.e. at the single time rate. Where a staff member elects to take LSL at double pay, in most cases a minimum period of absence of one week should be taken, i.e. one week leave utilising two weeks of accrued leave.

Public holidays that fall whilst a staff member is on a period of LSL will be paid and not debited from a staff member's LSL entitlement. In respect of public holidays that fall during a period of double pay LSL a staff member will not be debited in respect of the

leave on a public holiday. The staff member's leave balance will however be reduced by an additional day to fund the non-superable taxable allowance.

Service for LSL purposes - The following service with public sector agencies may count for LSL purposes, depending on the agency:

permanent and temporary work periods of employment with the ICAC under the ICAC Act.

continuous service with agencies under the *Transferred Officers Extended Leave Act* 1961. This generally includes service with the NSW public sector, some agencies in the Commonwealth and other states. Where the break in service between a public sector agency and starting work with the ICAC is less than two months, this previous employment may be able to be recognised for LSL purposes providing that the offer of employment with the Commission was accepted with the Commission prior to resignation.

3. Delete paragraph 10.3.9 of the said clause 10, and insert in lieu thereof the following:

10.3.9 Parental Leave

Maternity Leave - Female staff who have been employed at the Commission for more than 40 weeks before the expected date of birth are entitled to:

14 weeks full pay or 28 weeks half-pay maternity leave that may be taken up to 9 weeks before the expected date of birth; and

leave without pay up to 12 months from the actual date of birth of the child or up to 2 years part-time.

Female staff with less than 40 weeks service are entitled to up to 12 months maternity leave without pay.

Parental Leave - Up to 1 week on full pay or 2 weeks on half pay parental leave is available to male and female staff members who prior to the expected date of birth, or of taking custody of an adopted child, have completed not less than 40 weeks service. Staff who are parents may be granted parental leave without pay for a period of up to 12 months within 2 years of the date of birth, or up to 2 years part-time without pay. The period of paid leave does not extend the current entitlement of up to 12 months leave, but is part of it.

Adoption Leave - Staff may be granted adoption leave of up to 12 months without pay, or up to 2 years part-time without pay if the child has not commenced school at the time custody is taken. Where staff have worked for 40 weeks, the staff member may be entitled to payment for up to 14 weeks on full pay or 28 weeks on half pay of adoption leave.

Staff resuming work after these types of leave are entitled to return to their substantive or comparable position.

4. Delete the second paragraph of subclause 10.5, of the said clause 10, and insert in lieu thereof the following:

Overtime is paid at staff's current rate of pay up to a maximum rate of Grade 5, Level 5. A minimum of 3 hours payment will be paid for overtime worked on weekends and public holidays or when staff are called back to duty. Time in lieu may be granted instead of payment. Time in lieu is calculated at the same rate as payment.

5. Delete Schedule 1 - ICAC Officer Classification Salary Rates from 4 July 2003, and insert in lieu thereof the following:

Schedule 1 - ICAC Officer Classification Salary Rates

	+4% fpp 2.7.04 per annum \$	+4% fpp 1.7.05 per annum \$
1A		
1st year	35,357	36,771
2nd year	36,135	37,580
3rd year	37,381	38,876
4th year	38,317	39,850
5th year	39,251	40,821
1B		
1st year	39,875	41,470
2nd year	40,962	42,600
3rd year	42,208	43,896
4th year	43,300	45,032
5th year	44,391	46,167
1C		
1st year	44,234	46,003
2nd year	45,323	47,136
3rd year	46,571	48,434
4th year	47,660	49,566
5th year	49,217	51,186
2		
1st year	50,153	52,159
2nd year	51,243	53,293
3rd year	52,644	54,750
4th year	54,357	56,531
5th year	55,606	57,830
3		
1st year	57,162	59,448
2nd year	58,718	61,067
3rd year	59,965	62,364
4th year	61,835	64,308
5th year	63,392	65,928
4		
1st year	64,794	67,386
2nd year	66,352	69,006
3rd year	68,378	71,113
4th year	70,244	73,054
5th year	72,117	75,002
5		
1st year	73,513	76,454
2nd year	75,227	78,236
3rd year	77,410	80,506
4th year	79,901	83,097
5th year	81,771	85,042
6		
1st year	82,238	85,528
2nd year	84,728	88,117
3rd year	86,445	89,903
4th year	88,624	92,169
5th year	91,430	95,087

7		
1st year	90,183	93,790
2nd year	91,583	95,246
3rd year	93,140	96,866
4th year	94,543	98,325
5th year	98,125	102,050
8		
1st year	96,101	99,945
2nd year	98,747	102,697
3rd year	101,240	105,290
4th year	103,733	107,882
5th year	106,378	110,633

6. Delete subclauses 1, 2 and 3 of Schedule 2 - Allowance Rates, and insert in lieu thereof the following:

1. Associate's Allowance (Clause 10.7.2)

Total allowance payable in 12 month financial year period not to exceed:

2.7.04	1.7.05
\$	\$
4,235 pa	4,404 pa

Allowance payable as follows:-

50% allowance payable to approved staff members on basis of training and availability

	2.7.04	1.7.05
	\$	\$
	2,117 pa	2,202 pa
Daily rate	52.94 pd	55.05 pd

2. Community Language Allowance Scheme (Clause 10.7.3)

2.7.04	1.7.05
\$	\$
921 pa	958 pa

3. First Aid Officer Allowance (Clause 10.7.4)

2.7.04	1.7.05
\$	\$
591 pa	615 pa

7. This variation shall take effect from 23 February 2005, with back pay of the increased salary rates and allowances applying to existing employees who are employed as at 23 February 2005, and enhanced conditions of maternity, adoption, parental and long service leave (extended leave) available to employees who have an entitlement to commence the relevant form of leave on or after 23 February 2005.

M. SCHMIDT J.

(155)

SERIAL C3859

CLERICAL AND ADMINISTRATIVE EMPLOYEES IN TEMPORARY EMPLOYMENT SERVICES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Union, industrial organisation of employees.

(No. IRC 3693 of 2005)

Before The Honourable Justice Schmidt

21 July 2005

VARIATION

1. Delete clause 10, Arbitrated Safety Net Adjustment, of the award published 10 November 2000 (320 I.G. 56) and insert in lieu thereof the following:

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 the amount of "\$714.00" appearing in subclause (i) of clause 25, Exemptions, and insert in lieu thereof the following:

\$735.00
 3. Delete Part B, Monetary Rates, and insert in lieu the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay

The following minimum rates shall take effect from the beginning of the first full pay period to commence on or after 26 August 2005:

- (i) Adult Rates -

Grade	Former Weekly Rate	SWC 2005	Weekly Rate	Part-time Per Hour + Annual Leave 9%	Hourly + 15%+ Annual Leave (1/12)
	\$	\$	\$	\$	\$
4	602.90	17.00	619.90	17.80	20.30
3	561.20	17.00	578.20	16.60	18.95
2	527.50	17.00	544.50	15.60	17.85
1	506.60	17.00	523.60	15.00	17.15

(ii) Junior Rates -

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$	Part-time Per Hour + Annual Leave 9% \$	Hourly + 15% + Annual Leave (1/12) \$
Under 17 years of age	200.45	3	206.45	5.90	6.75
At 17 years of age	250.90	3	258.45	7.40	8.45
At 18 years of age	307.55	3	316.80	9.10	10.40
At 19 years of age	348.75	3	359.20	10.30	11.80
At 20 years of age	410.40	3	422.70	12.10	13.85

(iii) Junior Rates - Equivalent to Grade 3 or above

Age	Former Weekly Rate \$	SWC 2005 %	Weekly Rate \$	Part-time Per Hour + Annual Leave 9% \$	Hourly + 15% + Annual Leave (1/12) \$
At 17 years of age	267.05	3	275.05	7.90	9.00
At 18 years of age	329.95	3	339.85	9.75	11.15
At 19 years of age	377.15	3	388.45	11.15	12.75
At 20 years of age	445.25	3	458.60	13.15	15.05

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7(iii)(b)	Shift workers meal allowance - beyond 1 hour	10.85
2	7(iii)(b)	Shift workers meal allowance - beyond 5 hours	10.85
3	12(iii)(a)	Overtime meal allowance - after 6.00 p.m.	10.85
4	12(iii)(b)	Overtime meal allowance - after 10.00 p.m.	10.85
5	20(iv)	Travelling expenses - vehicles 1500cc and under	83.35
6	20(iv)	Travelling expenses - vehicles over 1500cc	103.05
7	20(v)	Use of motor car on casual/incidental basis	0.57
8	30(i)	First-aid allowance	9.00

4. This variation shall take effect from the first full pay period to commence on or after 26 August 2005.

M. SCHMIDT J.

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(027)

SERIAL C3988**CLERICAL INDUSTRY (STATE) TRAINING WAGE AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, industrial organisation of employees.

(No. IRC 3693 of 2005)

Before The Honourable Justice Schmidt

21 July 2005

VARIATION

1. Delete subclause (d) of clause 7, Wages, of the award published 9 February 2001 (322 I.G. 6) and insert in lieu thereof the following:
 - (d) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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 subparagraph 7(k)(ii)(b) of clause 7, Wages, and insert in lieu thereof the following:
 - (b) An adult trainee who is undertaking a traineeship for an AQF IV qualification shall receive the following weekly wage as applicable based on the allocation of AQF III qualifications.

Industry/Skill Level	First Year of Traineeship \$	Second Year of Traineeship \$
Industry/Skill Level A	470.00	488.00
Industry/Skill Level B	452.00	469.00
Industry/Skill Level C	405.00	420.00

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

PART B**MONETARY RATES****Table 1 - Weekly Rates - Industry/Skill Level A**

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

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	221.00	243.00	293.00
Plus 1 year out of school	243.00	293.00	340.00
Plus 2 years	293.00	340.00	396.00
Plus 3 years	340.00	396.00	453.00

Plus 4 years	396.00	453.00	
Plus 5 years or more	453.00		

The average proportion of time spent in Structured Training which has to be taken into account in setting the above rates is 20 per cent.

Table 2 - Weekly Rates - Industry/Skill Level B

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	221.00	243.00	283.00
Plus 1 year out of school	243.00	283.00	325.00
Plus 2 years	283.00	325.00	382.00
Plus 3 years	325.00	382.00	435.00
Plus 4 years	382.00	435.00	
Plus 5 years or more	435.00		

The average proportion of time spent in Structured Training which has to be taken into account in setting the above rates is 20 per cent.

Table 3 - Weekly Rates - Industry/Skill Level C

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	221.00	243.00	278.00
Plus 1 year out of school	243.00	278.00	312.00
Plus 2 years	278.00	312.00	349.00
Plus 3 years	312.00	349.00	390.00
Plus 4 years	349.00	390.00	
Plus 5 years or more	390.00		

The average proportion of time spent in Structured Training which has to be taken into account in setting the above rates is 20 per cent.

Table 4 - School-Based Traineeships

	Year of Schooling	
	Year 11 \$	Year 12 \$
School based Traineeships Skill Levels A, B and C	221.00	243.00

The average proportion of time spent in structured training which has been taken into account in setting the rates is 20 per cent.

Table 5 - Hourly Rates for Trainees Who Have Left School

Industry/Skill Level A	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	7.27	7.99	9.64
1 year after leaving school	7.99	9.64	11.18
2 years +	9.64	11.18	13.03
3 years +	11.18	13.03	14.90
4 years +	13.03	14.90	
5 years +	14.90		
Industry/ Skill Level B			
School leaver	7.27	7.99	9.31
1 year after leaving school	7.99	9.31	10.69
2 years +	9.31	10.69	12.57
3 years +	10.69	12.57	14.31
4 years +	12.57	14.31	
5 years +	14.31		
Industry/ Skill Level C			
School leaver	7.27	7.99	9.14
1 year after leaving school	7.99	9.14	10.26
2 years +	9.14	10.26	11.48
3 years +	10.26	11.48	12.83
4 years +	11.48	12.83	
5 years +	12.83		

Table 6 - Hourly Rates for School-Based Traineeships

	Year of schooling	
	Year 11 \$	Year 12 \$
Skills levels A, B and C	7.27	7.99

4. This variation shall take effect from the first full pay period to commence on or after 31 August 2005.

M. SCHMIDT J.

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(538)

SERIAL C3914**PLASTIC MOULDING, &c. (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3578 of 2005)

Before The Honourable Justice Backman

27 July 2005

VARIATION

1. Delete subclause (ii), of clause 5, Wages, of the award published 2 November 2001 (329 I.G. 83), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include all the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (a) any equivalent over award payments; and/or
 - (b) award wage increases since 29 May, 1991 other than safety net, State Wage Case and minimum rate adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

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

Adult Employees - Weekly Rates for Full-time Employees

Classification	Wage Rate Payable as of 4 December 2004 \$	2005 State Wage Case Increase \$	Wage Rate Payable as of 4 December 2005 \$
Plastics Worker Grade 5*	561.20	17.00	578.20
Grade 4	527.50	17.00	544.50
Grade 3	506.60	17.00	523.60
Grade 2	484.10	17.00	501.10
Grade 1	467.40	17.00	484.40

* Plastics Worker Grade 5 is a new classification that took effect on the first pay period to commence on or after 4 December 2002.

Junior Employees - Weekly Rates for Full-time Employees

Age	Percentage of Grade 2 %	Wage Rate Payable as of 4 December 2004 \$	2005 State Wage Case Increase \$	Wage Rate Payable as of 4 December 2005 \$
Under 16 years of age	36.8	178.15	6.27	184.42
At 16 years of age	47.3	229.00	8.04	237.04
At 17 years of age	57.8	279.80	9.83	289.63
At 18 years of age	68.3	330.65	11.61	342.26
At 19 years of age	82.5	399.40	14.03	413.43
At 20 years of age	97.7	472.95	16.61	489.56

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Allowances, Payable as of 4 December 2004 \$	Allowances, Payable as of 4 December 2005 \$	Payable
1	6(i)	Meal Allowance	9.45	9.54	per meal
2	6(ii)(a)	Leading Hand: 3 to 10 employees	24.65	25.39	per week
3	6(ii)(b)	Leading Hand: 11 to 20 employees	36.65	37.75	per week
4	6(ii)(c)	Leading Hand: more than 20 employees	46.50	47.90	per week
5	6(iii)	First Aid Allowance	11.20	11.54	per week
6	6(iv)(a)	Dirty Work	0.42	0.43	per hour
7	6(iv)(b)(1)	Hot Places: between 46°C and 54°C	0.42	0.43	per hour
8	6(iv)(b)(2)	Hot Places: exceeding 54°C	0.55	0.57	per hour
9	6(iv)(c)	Wet Places	0.42	0.43	per hour
10	6(v)	Motor Allowance	0.57	0.59	per km

3. This variation shall take effect from the first full pay period to commence on or after 4 December 2005.

A.F. BACKMAN J.

ENGINE PACKING MANUFACTURE (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers' Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3577 of 2005)

Before The Honourable Justice Backman

27 July 2005

VARIATION

1. Delete paragraph (i)(b) of clause 2, Wages, of the award published 16 February 2001 (322 I.G. 354), and insert in lieu thereof the following:
 - (b) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (i) any equivalent over-award payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Wages Payable as of 21 September 2004	2005 State Wage Case Increase	Wages Payable as of 21 September 2005
	\$	\$	\$
Machinist	485.70	17.00	502.70
Trainee Machinist (First 3 months)	477.50	17.00	494.50
Labourer	480.60	17.00	497.60
Light Machinist (as defined)	478.90	17.00	495.90
Trainee Light Machinist (First 3 months)	470.80	17.00	487.80
Tablehand; Trimmer; Finisher; Packager	475.80	17.00	492.80

Table 2 - Other Rates And Allowances

Item	Clause No.	Brief Description	Allowances Payable as of 21 September 2004 \$	Allowances Payable as of 21 September 2005 \$
1	9(ii)	Meal Allowance	8.35 per meal	8.60 per meal
2	9(iii) (a)	Leading Hand - Up to 10 employees	21.80 per week	22.45 per week
3	9(iii) (b)	Leading Hand - Over 10 employees	29.05 per week	29.90 per week
4	9(iv)	First Aid Allowance	1.95 per day	2.00 per day

5	9(v)(a)	Dirt Money: Squaring Machine or Cleaning Tanks	1.15 per day	1.20 per day
6	9(v)(b)	Dirt Money: Twisting Machine or Hemp and/or Asbestos Plaiters	1.05 per day	1.10 per day

3. This variation shall take effect from the first full pay period to commence on or after 21 September 2005.

A. F. BACKMAN *J.*

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(336)

SERIAL C3912**FRICITION MATERIALS, &c., MANUFACTURE (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers' Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3677 of 2005)

Before The Honourable Justice Backman

27 July 2005

VARIATION

1. Delete subclauses (i) and (iv) of clause 5, Wages, of the award published 25 July 2003 (340 I.G. 646), and insert the following:

- (i) Adult Employees: The following minimum rates of pay shall be paid:

Grade	Rate per Week \$
Level 1	522.60
Level 2	527.60
Level 3	532.60
Level 4	540.60
Level 5	552.60
Level 6	565.00
Level 7	582.00
Chargehand	589.00
Senior Chargehand	622.00

- (iv) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may offset against:

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

2. Delete subclauses (i), (ii), (iii) and (iv) of clause 8, Allowances, and insert in lieu thereof the following:

- (i) First Aid Allowance: An employee appointed to act as a first aid attendant in addition to normal duties shall be paid an additional allowance of \$2.55 per day or shift.
- (ii) Boiler Attendant Certificate: An employee required to hold a Boiler Attendants Certificate shall be paid an additional \$15.00 per week.
- (iii) All employees engaged in the periodic cleaning of the dust collection filtration plant shall be paid 70 cents per hour extra whilst so engaged.
- (iv) All employees engaged in handling pigmented oxide shall be paid 35 cents per hour extra whilst so employed.

3. Delete clause 11, Shift Work Allowance for Shiftworkers, and insert in lieu thereof the following:

11. Shiftwork Allowance for Shiftworkers

- (i) Adult shift workers on afternoon shift shall be paid \$17.90 per shift and on night shift \$20.45 in addition to the rates payable under this award,
- (ii) Adult shift workers who do not work day shift in regular rotation or who work permanent afternoon or night shift, shall in addition to the rates prescribed in subclause (i) of this clause be paid \$4.48 for afternoon shift and \$10.23 for night shift over and above the relevant rotating shift rate specified in subclause (i).
4. Delete subclause (v) of clause 14, Meal Times, Meal Allowances and Crib Breaks and insert in lieu thereof the following:
- (v) An employee required to work overtime of two hours or more before or after the usual ceasing time shall be paid \$6.98 for the first meal and \$6.48 for each subsequent meal which will apply after every additional four hours overtime unless suitable meals are provided by the employer. Should an employee be notified of the intention to work overtime and then not be called upon to do so, the employee shall be paid the sum of \$6.94.
5. This variation shall take effect from the beginning of the first pay period to commence on or after 29 July 2005.

A.F. BACKMAN *J.*

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(348)

SERIAL C3919**GELATINE AND GLUE INDUSTRY (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers' Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3574 of 2005)

Before The Honourable Justice Backman

27 July 2005

VARIATION

1. Delete subclauses (f) and (g) of clause 2, Rates of Pay of the award published 22 February 2002 (331 I.G. 679), and insert in lieu thereof the following:
 - (f) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (i) any equivalent over-award payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Grade	Adhesive and Glue Stream As of 18th February 2005 \$	Adhesive and Glue Stream As of 18th February 2006 \$	Gelatine and By Product Stream As of 18th February 2005 \$	Gelatine and By Product Stream As of 18th February 2006 \$
6	594.90	611.90	607.40	624.40
5	574.10	591.10	569.90	586.90
4	551.20	568.20	551.20	568.20
3	522.00	539.00	526.20	543.20
2	501.20	518.20	517.80	534.80
1	491.50	508.50	497.00	514.00

Table 2 - Junior Rates

Age	Percentage
At 16 years of age and under	70
At 17 years of age	85
At 18 years of age	100

Table 3 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount As of 18th February 2005 \$ per week	Amount As of 18th February 2006 \$ per week
1	3(a)(i.)	Leading hand up to 10 employees	20.80	21.40
2	3(a)(ii)	Leading hand over 10 employees	28.70	29.60
3	3(b)	Industry allowances - Gelatine and By Products Stream	15.80	16.30
4	3(c)	Boiler Attendants Allowance	9.90	10.20
5	8(d)	Meal Allowance - 1 st meal	8.15	8.40
6	8(d)	Meal Allowance - 2 nd and subsequent meal	8.15	8.40
7	18(c)	Laundry Allowance	6.55	6.70
8	28(c)	First Aid Allowance	9.65	9.95

3. The variation shall take effect from the first full pay period to commence on or after 1 August 2005.

BACKMAN J.

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(565)

SERIAL C3877**PYROTECHNICS, &c (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3572 of 2005)

Before Justice Backman

26 July 2005

VARIATION

1. Delete subclause (ii) of clause 8, Wages, of the award published 25 January 2001 (321 I.G. 1043), and insert in lieu thereof the following:
 - (ii) The rates of pay in this award include the adjustments payable under the State Wage Case 2005. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

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

Classification	Former Rate per week \$	State Wage Case 2005 per week \$	New Total Rate per week \$
Pyrotechnician	513.40	17.00	530.40
Mixer - dry powder	483.00	17.00	500.00
Mixer sparkler department	483.00	17.00	500.00
All other employees	467.40	17.00	484.40

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Former Amount \$	New Amount \$
1	9(i)	Meal Allowance	7.20	7.40
2	9(ii)	Incremental Rates - 3rd -4th Year	7.35	7.55
3	9(ii)	Incremental Rates - 5th-9th Year	3.90	4.00
4	9(ii)	Incremental Rates - 10th Year & Thereafter	3.90	4.00
5	9(iii)	First Aid Allowance	2.90	3.00

3. This variation shall take effect from the first full pay period to commence on or after 29 July 2005.

A. F. BACKMAN *J.*

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(241)

SERIAL C3959**RETAIL SERVICES EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, industrial organisation of employees and another.

(No. IRC 3364 and 3365 of 2005)

Before Commissioner Macdonald

6 July 2005

VARIATION

1. Delete the amount of "\$60" appearing in subclause (c), of clause 19, Supported Wage System for Workers with Disabilities, of the award published 5 October 2001 (328 I.G. 261), and insert in lieu thereof the following:

\$61.00.

2. Delete clause 22, Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

22. Wages

The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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.

Table 1 - Total Rates

Classification	Former Rate Per Week \$	SWC 2005 \$	Total Rate Per Week \$
Propagator/Gardner	497.80	17.00	514.80
Retail Building Assistant	525.80	17.00	542.80
Retail Security Assistant			
Gatekeeper	525.80	17.00	542.80
Security Guard	525.80	17.00	542.80
Security Guard- Tell Tale	525.80	17.00	542.80
Security Guard - Additional duties	525.80	17.00	542.80
Retail Services Assistant			
Tea Attendant	506.60	17.00	523.60
Cleaner	506.60	17.00	523.60
Parking Attendant	506.60	17.00	523.60
Lift Attendant	506.60	17.00	523.60
Garden Hand	478.60	17.00	495.60

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
1	4(B)(iii)(a)	Broken Shift Allowance	11.14 per shift	
2	4(B)(iii)(b)	Excess Fares Allowance	7.20 per week	
3	7(i)	Leading Hands 1 to 5 employees	Per week	Per Day
4		6 to 10 employees	23.20	4.64
5	7(ii)	First Aid	12.70 per week	
6			2.54 per day	
7	7(iii)	Qualification Allowance	15.60 per week	
8			3.12 per day	
9	7(iv)	Gun Allowance	1.80 per shift	
10		Maximum payment of	9.00 per week	
11	7(v)	Use of multi-purpose machines and other mobile sweeping machines, mechanical equipment, operate fork lifts	2.00 per shift	
12		7(vi)	Refuse disposal (Retail Services Assistant)	0.80 per hour
13	Maximum payment of		16.00 per week	
14	7(vii)	Toilet cleaning, work on outside steps, marble, brass etc., which necessitates kneeling	8.00 per week	
15			1.60 per day	
16	7(xi)	Horticultural Certificate Course	15.60 per week	
17	8	Retail Building Assistant provided with accommodation	Deduction of not more than 12.50 per week	

3. Delete Table 2 - Other Rates and Allowances appearing in the Appendix and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
1	5(a)	Night interval employees	2.00 per shift	
2	5(a)	Night interval employees (working one night per week)	3.16 per shift	
3	6(i)(b), (c) 36(i)(d) 36(ii)(a)	Meal Allowances	10.40	
4	6(ii) 16(vii)	Breakfast Allowances	5.60	
5	14(a)(ii)	General Shops - Loading for casual employees working on a Saturday:		
		Engagements up to and including four hours - Adult Employees	5.90	
		Employees under 21 years of age	3.90	
		Engagements exceeding four hours - Adult Employees	12.00	
6	14(c)(ii)	Confection Shop - Employees working after 10.00 p.m. on any night	1.64 each night	

7	25(i)	Laundering Allowance (if any article requires ironing): Full-time employee Part-time and casual employee Maximum payment Laundering allowance (if none of the articles require ironing): Full-time employee Part-time and casual employee Maximum payment	8.60 per week 2.90 per shift 8.60 per week 5.20 per week 1.75 per shift 5.20 per week
8	38(1)(i)2(b)	Window Dressers under the age of 21	8.10 per week
9	35(i)(a)	Section Head	11.70 per week
10	35(i)(b)	Qualified adult automotive parts and accessories salesperson	26.70 per week
11	35(i)(c)	Employee with a licence under the Liquor Act 1982	18.30 per week
12	35(ii)(a)	Employee delivering goods	4.00 per week
13	35(ii)(b)	Employee engaged in photographic or other modelling	38.80 per week 7.76 per day
14	35(ii)(c)	First-aid attendant	1.54 per day
15	35(ii)(d)	Employee engaged to speak a second language	7.80 per week
16	35(ii)(e)	Ticket writer - At or over 21 years of age Under 21 years of age	15.70 per week 7.85 per week
17	35(iv)	Bicycle Allowance Motorcycle Allowance	10.30 per week 30.80 per week
18	35(iv)	Motor Car Allowance: Up to and including 2000cc Over 2000cc Allowance per kilometre travelled	107.40 per week 128.00 per week 32 cents per km
19	35(iv)	Allowance per kilometre travelled: Car under and including 2000cc Car over 2000cc Part-time or Casual Retail Merchandiser local or Country, in the use of his / her vehicle	49 cents per km 53 cents per km 58.3 cents per km
20	35(v)(a)(1)	Disability allowance for employees working in freezer room	7.50 per week
21	35(v)(b)(1)	Disability allowance for employees working in public dairy room	11.25 per week
22	35(v)(c)(1)	Disability allowance for employees backfilling in a freezer room	15.00 per week
23	36(i)(a) 36(ii)(b)	Casual hourly rate of pay for persons employed at trade fairs, etc., between 9.00 a.m. and 6.00 p.m., with a minimum payment of six hours - At 19 years of age and over Under 19 years of age Saturday Loading - Adult Employees Under 21 years	 13.64 per hour 13.34 per hour 5.90 3.90

4. This variation shall take effect from the first full pay period commencing on or after 28 July 2005.

A. W. MACDONALD, Commissioner.

(4165)

SERIAL C3108**RETAIL INDUSTRY (STATE) TRAINING WAGE AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by the Shop, Distributive and Allied Employees' Association, New South Wales, industrial organisation of employees and another.

(No. IRC 3584 and 3585 of 2004)

Before Commissioner Macdonald

15 July 2004

VARIATION

1. Delete subclause (d) of Clause 7, Wages, of the award published 4 May 2001 (324 I.G. 529) and insert in lieu thereof the following:
 - (d) 'The rates of pay in this award include the adjustments payable under the State Wage Case 2004. 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 - Monetary Rates - Skill Level A**

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	215.00	235.00	284.00
Plus 1 year out of school	235.00	284.00	330.00
Plus 2 years	284.00	330.00	384.00
Plus 3 years	330.00	384.00	439.00
Plus 4 years	384.00	439.00	
Plus 5 years or more	439.00		

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

Table 2 - Monetary Rates -Skill Level B

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	215.00	235.00	274.00
Plus 1 year out of school	235.00	274.00	315.00
Plus 2 years	274.00	315.00	370.00
Plus 3 years	315.00	370.00	421.00
Plus 4 years	370.00	421.00	
Plus 5 years or more	421.00		

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

Table 3 - Monetary Rates -Skill Level C

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

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	215.00	235.00	268.00
Plus 1 year out of school	235.00	268.00	301.00
Plus 2 years	268.00	301.00	337.00
Plus 3 years	301.00	337.00	376.00
Plus 4 years	337.00	376.00	
Plus 5 years or more	376.00		

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

Table 4 - School-Based Traineeships

	Year of schooling	
	Year 11	Year 12
	\$	\$
School based traineeships Skill Levels A, B and C	215.00	235.00

* Assumes that the average proportion of time spent in structured training is 20 per cent.

Table 5 - Hourly Rates for Trainees Who Have Left School

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
Wage Level A			
School leaver	7.07	7.73	9.34
Plus 1 year after leaving school	7.73	9.34	10.86
Plus 2 years	9.34	10.86	12.63
Plus 3 years	10.86	12.63	14.44
Plus 4 years	12.63	14.44	
Plus 5 years or more	14.44		
Wage Level B			
School leaver	7.07	7.73	9.01
Plus 1 year after leaving school	7.73	9.01	10.36
Plus 2 years	9.01	10.36	12.17
Plus 3 years	10.36	12.17	13.85
Plus 4 years	12.17	13.85	
Plus 5 years or more	13.85		
Wage Level C			
School leaver	7.07	7.73	8.82
Plus 1 year after leaving school	7.73	8.82	9.90
Plus 2 years	8.82	9.90	11.09
Plus 3 years	9.90	11.09	12.37
Plus 4 years	11.09	12.37	
Plus 5 years or more	12.37		

Table 6 - Hourly Rates for School-Based Traineeships

	Year of schooling	
	Year 11 \$	Year 12 \$
Wage levels A, B and C	7.07	7.73

3. This variation shall take effect from the first full pay period commencing on or after 24 July 2004.

A. W. MACDONALD, Commissioner.

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UNIVERSITY UNIONS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees Association, industrial organisation of employees, and another.

(No. IRC 3410 & 3411 of 2005)

Before Commissioner Macdonald

6 July 2005

VARIATION

1. Delete paragraph 10.1.2 of subclause 10.1 of Clause 10, Wages, of the award published 22 August 2003 (341 I.G. 100) and insert in lieu thereof the following:

10.1.2 The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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:

Table 1 - Wage Rates

Level	Former Rate Per Week \$	SWC 2005 \$	Total Wage Per Week \$
1	474.30	17.00	491.30
2	491.30	17.00	508.30
3(a)	516.90	17.00	533.90
3(b)	525.80	17.00	542.80
4	535.60	17.00	552.60
5	570.00	17.00	587.00
6	610.60	17.00	627.60
7	631.90	17.00	648.90

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	9.1	Meal Allowance	10.40
2	15.2	Apprentices Tool Allowance	0.61 per week
3	25.1	Laundry Allowance - Special Clothing requiring ironing Special clothing not requiring ironing	2.90 per day to a maximum of 8.70 per week 1.75 per day to a maximum of 5.20 per week
4	26.1	First Aid Allowance	9.20 per week 1.84 per shift

3. Delete Appendix A, Training Wage Rates and insert in lieu thereof the following:

APPENDIX A

Training Wage Rates

Table 1 - Monetary Rates - Skill Level A

Skill Level A - Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work Skill Level A.

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	\$	\$	\$
School Leaver	221.00	243.00	293.00
Plus 1 year out of school	243.00	293.00	340.00
Plus 2	293.00	340.00	396.00
Plus 3	340.00	396.00	453.00
Plus 4	396.00	453.00	
Plus 5 years or more	453.00		

The average proportion of time spent in structured training which has been taken into account in setting the rate is 20 per cent.

Table 2 - Monetary Rates - Skill Level B

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

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	\$	\$	\$
School Leaver	221.00	243.00	283.00
Plus 1 year out of school	243.00	283.00	325.00
Plus 2 years	283.00	325.00	382.00
Plus 3 years	325.00	382.00	435.00
Plus 4 years	382.00	435.00	
Plus 5 years or more	435.00		

The average proportion of time spent in structured training which has been taken into account in setting the rate is 20 per cent.

Table 3 - Monetary Rates - Skill Level C

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

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	\$	\$	\$
School Leaver	221.00	243.00	279.00
Plus 1 year out of school	243.00	279.00	312.00
Plus 2 years	279.00	312.00	349.00
Plus 3 years	312.00	349.00	390.00
Plus 4 years	349.00	390.00	
Plus 5 years or more	390.00		

The average proportion of time spent in structured training which has been taken into account in setting the above rates is 20 per cent.

Table 4 - School-Based Traineeships

	Year of Schooling	
	Year 11 \$	Year 12 \$
School based traineeships Skill Levels A, B and C	221.00	243.00

The average proportion of time spent in structured training which has been taken into account in setting the above rates is 20 per cent.

Table 5 - Hourly Rates for Trainees Who Have Left School

	Year of Schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
Wage Level A			
School leaver	7.27	7.99	9.64
Plus 1 year after leaving school	7.99	9.64	11.18
Plus 2 years	9.64	11.18	13.03
Plus 3 years	11.18	13.03	14.90
Plus 4 years	13.03	14.90	
Plus 5 years	14.90		
Wage Level B			
School leaver	7.27	7.99	9.31
Plus 1 year after leaving school	7.99	9.31	10.69
Plus 2 years	9.31	10.69	12.57
Plus 3 years	10.69	12.57	14.31
Plus 4 years	12.57	14.31	
Plus 5 years	14.31		
Wage Level C			
School leaver	7.27	7.99	9.18
Plus 1 year after leaving school	7.99	9.18	10.26
Plus 2 years	9.18	10.26	11.48
Plus 3 years	10.26	11.48	12.83
Plus 4 years	11.48	12.83	
Plus 5 years or more	12.83		

Table 6 - Hourly Rates for School-Based Traineeships

	Year of schooling	
	Year 11 \$	Year 12 \$
Wage levels A, B and C	7.27	7.99

4. Delete the amount \$60.00 appearing in paragraphs 30.3.2 and 30.3.3 of clause 30, Supported Wage and insert in lieu thereof the following:

\$61.00.

5. This variation shall take effect from the first full pay period commencing on or after 4 September 2005.

A. W. MACDONALD, Commissioner.

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(113)

SERIAL C3961**PHARMACY ASSISTANTS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop Assistants and Warehouse Employees' Federation of Australia, Newcastle and Northern , New South Wales, industrial organisation of employees, and another.

(No. IRC 3382 & 3383 of 2005)

Before Commissioner Macdonald

6 July 2005

VARIATION

1. Delete subclause (a) of clause 16, Arbitrated Safety Net Adjustment, of the award published 13 October 2000 (319 I.G. 285) and insert in lieu thereof the following:
 - (a) The rates of pay in this award include the adjustments payable under the State Wage Case June 2005. 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 subclause 19.7 of clause 19, Work Standards and Classification Arrangements for Pharmacy Assistants, and insert in lieu thereof the following:
 - 19.7 Transitional rates of pay for non-reclassified employees

The following transitional rates of pay shall apply from the first full pay period on or after 9 July 2005 to employees who have not been reclassified in accordance with the above arrangement.

Classification	Total Rate Per Week \$
Pharmacy Assistant Grade 1 first six months, trainee or Unqualified	533.10
Pharmacy Assistant Grade 1	543.40
Pharmacy Assistant Grade 2	553.60
Pharmacy Assistant Grade 3	563.90
Pharmacy Assistant Grade 4	576.10

These transitional rates of pay shall cease to have effect on translation.

3. Delete Table (i) - Wages of Part B, Monetary Rates and insert in lieu thereof the following:

Table 1 - Wages

(i)

Competency Level	Total Rate Per Week \$
Pharmacy Assistant Competency level 1 first six months	533.10
Pharmacy Assistant Competency level 1	543.40
Pharmacy Assistant Competency level 2	553.60
Pharmacy Assistant Competency level 3	576.10
Pharmacy Assistant Competency level 4	609.70

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

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	14(ii)	Meal Allowance (Schools and Courses)	10.40 per day
2	8(v)	Meal Allowance	10.40 per day
3	33	Laundrying of Uniforms	5.20 per week
4	33	Laundrying of Uniforms (Non-nylon)	8.60 per week
5	34(ii)	Living Away from Home Allowance	8.90 per day

5. Delete at subclause (c) of clause 17, Supported Wage and insert in lieu thereof the following:

Supported Wage Rates -

- (c) Employees to whom this clause applies shall be paid the appropriate percentage of the minimum rate of pay prescribed by this Award for the class of work which the person is performing according to the following schedule:

Assessed Capacity (subclause (d))	% Of Prescribed Award Rate
10*	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90

(Provided that the minimum amount payable shall not be less than \$61.00 per week.)

* Where a person's assessed capacity is 10 per cent, they shall receive a high degree of assistance and support.

6. Delete paragraph (iii) of subclause (i) of the said clause 17 and insert in lieu thereof the following:
- (iii) The minimum amount payable to the employee during the trial period shall be no less than \$61.00 per week.
7. This variation shall take effect from the first full pay period to commence on or after 9 July 2005.

A. W. MACDONALD, Commissioner.

(601)

SERIAL C3960**SHOP EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales, an industrial organisation of employees, and another.

(No. IRC 3237 & 3238 of 2005)

Before Commissioner Macdonald

6 July 2005

VARIATION

1. Delete (i) of Table 1 - Wages, of Part B, Monetary Rates, of the award published 18 May 2001 (324 I.G. 935), as varied, and insert in lieu thereof the following:

Table 1 - Wages

(i)

Group No.	Description	Former Rate Per Week \$	SWC 2005 \$	Total Rate Per Week \$
1	Shop assistants, demonstrators, trolley collector, salespersons outdoor, employees driving a forklift or using mechanical equipment as required, the role of Santa Claus, ticket writers, mannequins, order hands, reserve stock hands (including reserve stock hands in theatre distributing services), employees delivering goods (other than newspapers and the like) by bicycle or tricycle, employees engaged in the cooking or the preparation of provisions for sale in the shop of the employer, cashiers in special shops, persons employed on information desks and/or on customer services or as full-time messengers, employees engaged in the installation (other than installation requiring trade skill), servicing, stocking, collection of money from, and preparation of, commodities for sale in automatic vending devices, employees engaged in the pre-packing, weighing, pricing of fruit and/or vegetables on the shop premises, employees principally engaged in hiring out activities in a shop, and waitresses in confection shops employed waiting on tables for two hours or more per day	525.80	17.00	542.80
2	(a) Window Dresser Employees principally engaged in dressing windows. (b) Window dressers under 21 years of age shall be paid as per Item 8 of table 2 - Other Rates and Allowances, of Part B, Monetary Rates, in addition to the rates prescribed by subclause (c) of Clause 38 Wages.	531.80	17.00	548.80
3	Branch Supervisor Shop assistants engaged in supervising branch grocery shops	536.60	17.00	553.60

4	Shop Assistants in charge of a shop or a department in a shop not being a shop assistant temporarily in charge during the absence of persons ordinarily in charge of the shop or department, but including employees employed as relieving shop assistants in charge of a shop: (i) Without the duty of buying - In charge of from nil to 4 assistants In charge of from 5 to 12 assistants In charge of from 13 to 25 assistants In charge of over 25 assistants (ii) With the duty of buying - In charge of from nil to 4 assistants In charge of from 5 to 12 assistants In charge of from 13 to 25 assistants In charge of over 25 assistants	536.70 545.10 555.70 563.50 538.20 547.50 559.90 566.90	17.00 17.00 17.00 17.00 17.00 17.00 17.00 17.00	553.70 562.10 572.70 580.50 555.20 564.50 576.90 583.90
5	Employees in charge of a motor and/or horse drawn vehicle selling stock carried on the vehicle products of a kind which usually are sold by confection/ take-away food shops Employees under the age of 21 years but not less than the age of 18 years shall be paid the percentages of the rate for an adult contained in (ii) of Table 1 - Clause 38 Wages.	543.20	17.00	560.20
6	Retail Merchandiser as defined by subclause (xi) of clause 2. Definitions	525.80	17.00	542.80

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

Table 2 - Other Rates & Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(a)	Night interval employees	2.00 per shift
2	5(a)	Night interval employees (working one night per week)	3.16 per shift
3	6(i)(b), (c) 36(i)(d) 36(ii)(a)	Meal Allowances	10.40
4	6(ii) 16(vii)	Breakfast Allowances	5.60
5	14(a)(ii)	General Shops - Loading for casual employees working on a Saturday: Engagements up to and including four hours - Adult Employees Employees under 21 years of age Engagements exceeding four hours - Adult Employees Employees under 21 years of age	5.90 3.90 12.00 6.60
	14(a)(iii)	Special and Confection Shops - Loading for casual employees working on a Saturday: Adult Employees Employees under 21 years of age	5.90 3.90
6	14(c)(ii)	Confection Shop - Employees working after 10.00 p.m. on any night	1.64 each night

7	25(i)	Laundering Allowance (if any article requires ironing): Full-time employee Part-time and casual employee Maximum payment Laundering allowance (if none of the articles require ironing): Full-time employee Part-time and casual employee Maximum payment	8.60 per week 2.90 per shift 8.60 per week 5.20 per week 1.75 per shift 5.20 per week
8	38(1)(i)2(b)	Window Dressers under the age of 21	8.10 per week
9	35(i)(a)	Section Head	11.70 per week
10	35(i)(b)	Qualified adult automotive parts and accessories salesperson	26.70 per week
11	35(i)(c)	Employee with a licence under the <i>Liquor Act 1982</i>	18.30 per week
12	35(ii)(a)	Employee delivering goods	4.00 per week
13	35(ii)(b)	Employee engaged in photographic or other modelling	38.80 per week 7.76 per day
14	35(ii)(c)	First-aid attendant	1.54 per day
15	35(ii)(d)	Employee engaged to speak a second language	7.80 per week
16	35(ii)(e)	Ticket writer - At or over 21 years of age Under 21 years of age	15.70 per week 7.85 per week
17	35(iv)	Bicycle Allowance Motorcycle Allowance	10.30 per week 30.80 per week
18	35(iv)	Motor Car Allowance: Up to and including 2000cc Over 2000cc Allowance per kilometre travelled	107.40 per week 128.00 per week 32 cents per km
19	35(iv)	Allowance per kilometre travelled: Car under and including 2000cc Car over 2000cc Part-time or Casual Retail Merchandiser local or Country, in the use of his / her vehicle	49 cents per km 53 cents per km 58.3 cents per km
20	35(v)(a)(1)	Disability allowance for employees working in freezer room	7.50 per week
21	35(v)(b)(1)	Disability allowance for employees working in public dairy room	11.25 per week
22	35(v)(c)(1)	Disability allowance for employees backfilling in a freezer room	15.00 per week
23	36(i)(a) 36(ii)(b)	Casual hourly rate of pay for persons employed at trade fairs, etc., between 9.00 a.m. and 6.00 p.m., with a minimum payment of six hours - At 19 years of age and over Under 19 years of age Saturday Loading - Adult Employees Under 21 years	13.64 per hour 13.34 per hour 5.90 3.90

3. Delete subclause (b) of Clause 38, Wages, and insert in lieu thereof the following:

- (b) 'The rates of pay in this award include the adjustments payable under the State Wage Case 2005. 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.'

4. Delete the amount \$60.00 appearing in subclause (c) of clause 34, Supported Wage System for Workers with Disabilities, and insert in lieu thereof the following:

\$61.00

5. This variation shall take effect from the first full pay period commencing on or after 28 July 2005.

A. W. MACDONALD, Commissioner.

Printed by the authority of the Industrial Registrar.

(667)

SERIAL C3901

RACECOURSE TOTALISATORS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Union, industrial organisation of employees.

(No. IRC 239 of 2005)

Before Mr Deputy President Sams

4 August 2005

VARIATION

1. Delete subclause (e) of clause 4, Wages of the award published 17 September 2004 (346 I.G. 501), 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 2004. These adjustments may be offset against:
 - (1) any equivalent overaward payments; and/or
 - (2) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Table 1 - Wages, of Part B, Monetary Rates, of the award and insert in lieu the following:

PART B
MONETARY RATES

Table 1 - Wages

	Cur. Base Rate	SWC 2004 Inc. (\$19 ÷ 38+ 20%)	New Base Rate	Cur. Tra.	SWC 2004 Inc. 0% March 03 - March 04	New Tra.	Cur. Clot.	SWC 2004 Inc. 2.42277% March 03 - March 04	New Clot.	Cur. Ann. Leave 1/12 of base rate	SWC 2004 Increase 1/12 of base rate	New Ann. Leave (1/12 of base rate)	Curr. All up Hourly Rate	Total Increase Under SWC 2004	Total New Hourly Rate
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Level 1	15.4	0.60	16.00	1.07	0	1.07	0.61	0.02	0.63	1.28	0.05	1.33	18.36	0.67	19.03
Level 2A	17.12	0.60	17.72	1.07	0	1.07	0.61	0.02	0.63	1.43	0.05	1.48	20.23	0.67	20.90
Level 2B	17.56	0.60	18.16	1.07	0	1.07	0.61	0.02	0.63	1.46	0.05	1.51	20.70	0.67	21.37
Level 3A	18.44	0.60	19.04	1.07	0	1.07	0.61	0.02	0.63	1.54	0.05	1.59	21.66	0.67	22.33
Level 3B	19.02	0.60	19.62	1.07	0	1.07	0.61	0.02	0.63	1.59	0.05	1.64	22.29	0.67	22.96
Level 4	20.36	0.60	20.96	1.07	0	1.07	0.61	0.02	0.63	1.70	0.05	1.75	23.74	0.67	24.41

3. This variation shall take effect from the first full pay period to commence on or after 18 January 2005.

P. J. SAMS *D.P.*

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(494)

SERIAL C3800**LOCAL GOVERNMENT (ELECTRICIANS) (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Electrical Trades Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 2410 of 2005)

Before The Honourable Mr Deputy President Harrison

19 May 2005

VARIATION

1. Insert in clause 1, Arrangement, of the award published 4 August 2000 (317 I.G. 519), the following new clause numbers and subject matter and renumber the existing clause 38, Area, Incidence and Duration to read as clause 40:

38. Salary Sacrifice
39. Superannuation
40. Area, Incidence and Duration

2. Renumber clause 38, Area, Incidence and Duration. to read as clause 40 and insert after of clause 37, Jury Service, the following new clauses:

38. Salary Sacrifice

- (i) Council and an employee may agree to enter into a salary sacrifice arrangement, which allows an employee to receive a part of their pre tax salary as a benefit rather than salary. Such agreement shall not unreasonably be withheld.
- (ii) Benefits that may be salary sacrificed include child care facilities operated by council on its premises; and additional superannuation and motor vehicles supplied by council under lease back arrangements where the amount to be salary sacrificed for leaseback of a council motor vehicle is that part of the lease back fee that exceeds council's fringe benefit tax liability.
- (iii) The value of the benefits shall be agreed between the council and employee and shall include fringe benefits tax where applicable.
- (iv)
 - (a) The salary sacrifice arrangement, including the benefits to be salary sacrificed and their value including fringe benefit(s) tax, shall be in writing and signed by both council and the employee.
 - (b) The employee may request in writing to change the benefits to be salary sacrificed once each year and the council shall not unreasonably refuse the request.
- (v) The employee's gross pay is their pre tax ordinary pay less the values of the salary sacrifice benefit including fringe benefit(s) tax.
- (vi) The value of a salary sacrifice benefit and applicable fringe benefit tax, shall be treated as an approved benefit for superannuation purposes and shall not reduce the employee's salary for employer contributions.
- (vii) The value of salary sacrifice benefits and applicable fringe benefits tax shall be ordinary pay for calculating overtime and termination payments.

- (viii) The employee is responsible for seeking appropriate financial advice when entering into any arrangement under this clause.
- (ix)
- (a) The council will ensure that the salary sacrifice arrangement complies with taxation and other relevant laws.
- (b) The council has the right to vary and/or withdraw from offering salary sacrifice to employees with appropriate notice if there is any alteration to relevant legislation that is detrimental to salary sacrifice arrangements.
- (x) A salary sacrifice arrangement shall cease on the day of termination of employment.
- (xi) A salary sacrifice arrangement shall be suspended during periods of leave without pay.
- (xii) Council may maintain and/or enter into other salary sacrifice arrangements with employees.

39. Superannuation Fund Contributions

Subject to the provisions of the *Industrial Relations Act 1996*, a council shall make superannuation contributions to the Local Government Superannuation Scheme and not to any other superannuation fund.

3. This variation shall take effect from the first full pay period to commence on or after 19 May 2005.

R. W. HARRISON *D.P.*

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(1595)

SERIAL C3879

CATHOLIC HEALTH CARE SERVICES NURSES' ENTERPRISE (STATE) AWARD 2001

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Nurses' Association, industrial organisation of employees.

(No. IRC 2937 of 2005)

Before Commissioner McLeay

27 June 2005

VARIATION

1. Delete clause 1, Arrangement, of the award published 25 March 2005 (349 I.G. 544), and insert in lieu thereof the following:

1. Arrangement

Clause No. Subject Matter

- | | |
|-----|--|
| 1. | Arrangement |
| 2. | No Extra Claims |
| 3. | Definitions |
| 4. | Hours of Work and Free Time of Employees Other Than Directors of Nursing |
| 5. | Hours of Work and Free Time of Directors of Nursing |
| 6. | Banking of Hours |
| 7. | Rosters |
| 8. | Pilot Roster Projects |
| 9. | Salaries |
| 10. | Transitional Arrangements - Registered Nurse Incremental Scale |
| 11. | Recognition of Service and Experience |
| 12. | Average Occupied Beds |
| 13. | Special Allowances |
| 14. | Penalty Rates for Shift Work and Weekend Work |
| 15. | Fares and Expenses |
| 16. | Telephone Allowance |
| 17. | Uniforms and Laundry Allowances |
| 18. | Higher Grade Duty |
| 19. | Overtime |
| 20. | Salary Packaging |
| 21. | Payment and Particulars of Salaries |
| 22. | Registration or Enrolment Pending |
| 23. | Part-time, Casual and Temporary Employees |
| 24. | Annual Leave and Public Holidays |
| 25. | Annual Leave Loading |
| 26. | Sick Leave |
| 27. | Long Service Leave |
| 28. | Compassionate Leave |
| 29. | State Personal/Carer's Leave |
| 30. | Parental Leave |
| 31. | Learning & Development Leave |
| 32. | Staff Amenities |
| 33. | Special Provisions Relating to Trainee Enrolled Nurses |
| 34. | Escort Duty |

35. Deputy Director of Nursing, Assistant Director of Nursing
36. Proportion
37. Medical Examination of Nurses
38. Domestic Work
39. Branch Officials
40. Labour Flexibility
41. Termination of Employment
42. Award Benefits to be Continuous
43. Right of Entry
45. Attendance at Meetings and Fire Drills
46. Resolution of Disputes
47. Anti-Discrimination
48. Enterprise Arrangements
49. Leave Reserved
50. Workplace Consultative Committee
51. Relationship to Awards
52. Salary Sacrifice to Superannuation
53. Area, Incidence and Duration

PART B

MONETARY RATES

Table 1 - Monetary Rates

Table 2 - Other Rates and Allowances

2. Delete subclause (x), of clause 3, Definitions, and insert in lieu thereof the following:
 - (x) "Salary Packaging", also know as Remuneration Packaging, refers to Australian Taxation Office approved ability for an employee to voluntarily structure their income to potentially increase the equivalent take-home salary. An election is made to receive part of the salary in cash and part of it in approved benefits that are paid out of pre-tax salary.
3. Insert after subclause (xxiv), of the said clause 3, the following new subclauses:
 - (xxv) "Salary Sacrifice to Superannuation" means the option for an employee to make additional voluntary superannuation contributions by electing the sacrifice a portion of their gross earnings (pre tax dollars) to give the effect of reducing the taxable income by the amount of the salary sacrifice.
 - (xxvi) Approved Employee Benefits" means benefits represented and offered in the Salary Packaging Policy and Handbook offered to employees. They include items which may be FBT Exempt, Within the Exemption Threshold, Otherwise Deductible or Concessionally Taxed.
4. Insert after subclause (i), of clause 9, Salaries, the following new subclause:
 - (ii) For the duration of this award post variation, the rates of pay set out in Table 1 shall be at least equal to the corresponding rates of pay in the:
 - (a) Private Hospital Industry Nurses' (State) Award for nurses employed at a private hospital;
 - (b) Nursing Homes, &c., Nurses' (State) Award for nurses employed at an aged care facility.

When these respective parent Awards are varied the Award rates of pay set out on Table 1 shall be increased as necessary to ensure they remain at least equal to the rates of pay in the respective parent Award.

5. Delete clause 20, Remuneration Packaging, and insert in lieu thereof the following:

20. Salary Packaging

- (i) By agreement with the employer, employees may elect to package their salary in accordance with this clause, to obtain a range of benefits as set out in the CHCS Salary Packaging Policy, as amended from time to time. Such election must be made prior to the commencement of the period of service to which the earnings relate.
- (ii) Where an employees elects to package their salary or a portion of their salary:
- (a) Subject to Australian taxation law packaged portion of salary will reduce the salary subject to appropriate PAYG taxation deductions by the amount of the packaged portion.
- (b) Any allowance, penalty rate, overtime payment, payment for unused leave entitlements, weekly worker's compensation, or other payment other than any payment for leave taken in service, to which an employee is entitled under this award or statute which is expressed to be determined by reference to an employees salary, shall be calculated by reference to the salary which would have applied to the employee under this award in the absence of any salary packaging or salary sacrificing to superannuation made under this award.
- (c) "Salary" for the purposes of this clause, for superannuation purposes, and for the calculation of award entitlements, shall mean the award salary as specified in clause 9 Salaries, and which shall include amounts elected to be taken as "approved employee benefits" that otherwise would have been included in taxable income.
- (iii) The salary packaging scheme utilises the Public Benevolent institution (PBI) taxation status, which provides for a fringe benefit tax exemption cap. This is currently \$17,000 per annum grossed-up (\$8755 net) for HDHS employees and \$30,000 per annum grossed-up (\$15,450 net) for CHCS employees. The maximum amount of fringe benefits-free tax savings that can be achieved under the scheme is where the value of the benefits when grossed-up, equal the fringe benefits exemption cap of \$17,000 or 30,000 respectively. Where the grossed-up value exceeds the cap, the employer is liable to pay fringe benefits tax on the amount in excess of the relevant FBT exemption cap, but will pass on this cost to the employee. The employer's share of savings, the combined administration cost (both as detailed in the CHCS Salary Packaging Policy), and the value of the packaged benefits, are deducted from the pre tax dollars.
- (iv) The parties agree that the application of the fringe benefits exemption cap and the PBI status of HDHS and CHCS are subject to the prevailing Australian laws. In the event that the employer ceases to attract exemption from payment of fringe benefit tax the employer may terminate all salary packaging arrangements.
- (v) If an employee wishes to withdraw from the salary packaging scheme, the employee shall provide the required period of notice set out in the CHCS Salary Packaging Policy.
- (vi) Where an employee ceases to salary package, arrangements will be made to convert the agreed package amount to salary. Any costs associated with the conversion will be borne by the employee, and the employer shall not be liable to make up any salary as a consequence of the employee's decision to convert to salary.
- (vii) The opportunity to enter into a salary packaging arrangement is voluntary. Employees are advised to seek independent financial advice and counselling to apprise them of the implications of salary packaging on their individual personal financial situations.
- (viii) The employer and the employee shall comply with the procedures set out in the CHCS Salary Packaging Policy as amended from time to time, in accordance with subclause (ix).
- (xi) The employer will consult with the NSW Nurses' Association in relation to the CHCS Salary Packaging Policy prior to making any changes.

6. Delete clause 50, Workplace Consultative Committee, and insert in lieu thereof the following:

50. Workplace Consultative Committee

Workplace Consultative Committee(s), where established, will consider issues specific to their workplace and consistent with their terms of reference. These Committee would ordinarily meet at least six monthly.

7. Insert after clause 51, Relationship With Awards, the following new clause 52 and renumber the existing clause 52, Area , Incidence and Duration to read as clause 53.

52. Salary Sacrifice to Superannuation

- (i) Salary Sacrifice to Superannuation means the option of an employee making additional superannuation contributions by electing to sacrifice a portion of the gross earnings (pre tax dollars). This will give the effect of reducing the taxable income by the amount for salary sacrifice.
- (ii) Salary sacrifice to superannuation shall be offered to employees by mutual agreement between the employee and the employer.
- (iii) Such election shall be made prior to the commencement of the period of service to which the earnings relate.
- (iv) The amount sacrificed must not exceed any relevant limits specified in applicable superannuation legislation.
- (v) The sacrificed portion of salary reduced the salary subject to PAYG taxation deductions.
- (vi) Any allowance, penalty rate, overtime, payment for unused leave entitlements, other than any payments for leave taken whilst employed, shall be calculated by reference to the salary which would have applied to the employee in the absence of any salary sacrifice to superannuation. Payment for leave taken whilst employed will be at the post salary sacrificed amount.
- (vii) Salary sacrifice arrangements can be cancelled by either the employer or the employee, in accordance with the required period of notice set out in the CHCS Salary Packaging Policy. The employer has the right to withdraw from offering salary sacrifice to employees without notice of there is any alteration to relevant Australian Taxation legislation
- (viii) Contributions payable by the employer in relation to the Superannuation Guarantee Legislation shall be calculated by reference to the salary which would have applied to the employee under the award in the absence of any salary sacrifice.
- (ix) Employers will not use any amount that is salary sacrificed by an employee to negate contributions payable under the Superannuation Guarantee Legislation.
- (x) The employee shall have the portion of payable salary that is to be sacrificed paid as additional employer superannuation contributions into the same superannuation fund that receives the employer's SGC contributions.
- (xi) Nothing in this clause shall affect the right of an employer to maintain alternative arrangements with respect to salary sacrifice for employees.

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

PART B
MONETARY RATES

Table 1 - Salaries

Classification	Private Hospitals \$	Nursing Homes - Aged Care Facilities \$
Assistant in Nursing/Trainee		
Enrolled Nurse - under 18 years of age		
First year of experience	466.00	445.50
Second year of experience	486.50	465.20
Thereafter	506.00	483.70
Enrolled Nurse - 18 years of age and over		
First year of experience	549.70	525.40
Second year of experience	567.20	542.40
Third year of experience	585.00	559.30
Thereafter	603.30	576.70
Enrolled Nurse		
First year of experience	674.60	645.30
Second year of experience	689.40	659.10
Third year of experience	704.30	673.40
Fourth year of experience	719.20	687.60
Thereafter	734.20	701.90
Enrolled Nurse- Special Grade	757.10	713.60
Nurse undergoing Pre-registration training	659.50	630.60
Registered Nurse		
First year of experience	764.90	731.40
Second year of experience	806.60	771.20
Third year of experience	848.20	810.90
Fourth year of experience	892.80	853.50
Fifth year of service	937.00	895.80
Sixth year of service	981.40	938.10
Seventh year of service	1031.70	986.40
Eighth year of service	1,074.20	1026.90
Clinical Nurse Specialist	1118.00	1069.10
Clinical Nurse Consultant (appointed prior to 31/12/99)	1374.60	1262.60
Clinical Nurse Consultant		
Grade 1		
1st year	1,353.80	1,298.4024
2nd year	1,371.20	1,3249. 80
Grade 2		
1st year	1,398.40	1,351.20
2nd year	1,426.10	1,377.90
Grade 3		
1st year	1,4380.870	1,430.80
2nd year	1,508457.40	1,457.40
Nurse Unit Manager		
Level 1	1,347.50	1228.20
Level 2	1,411.50	1286.70
Level 3	1,449.40	1321.10

Clinical Nurse Educator	1,118.00	1069.10
Nurse Educator		
1st year	1240.20	1130.40
2nd year	1275.10	1162.20
3rd year	1306.40	1190.80
4th year	1374.60	1253.00
Senior Nurse Educator		
First year	1407.80	1293.20
Second year	1436.70	1319.60
Third year	1484.80	1363.80
Assistant Director of Nursing 100 beds and over	1400.40	1321.10
Deputy Director of Nursing		
Less than 100 beds	1411.50	1286.70
100 beds, less than 200 beds	1449.40	1321.10
200 beds, less than 250 beds	1484.80	1363.80
250 beds, less than 350 beds	1540.30	1414.70
350 beds, less than 450 beds	1595.50	1465.30
450 beds, less than 750 beds	1654.40	1519.80
750 beds and over	1718.70	1578.60
Director of Nursing or Subsidiary Hospital Director of Nursing -		
Less than 25 beds	1454.70	1336.10
25 beds, less than 50 beds	1540.20	1414.70
50 beds, less than 75 beds	1573.60	1445.10
75 beds, less than 100 beds	1606.30	1475.30
100 beds, less than 150 beds	1652.50	1517.70
150 beds, less than 200 beds	1707.50	1568.50
200 beds, less than 250 beds	1763.00	1619.00
250 beds, less than 350 beds	1829.40	1680.00
350 beds, less than 450 beds	1956.30	1846.50
450 beds, less than 750 beds	2052.10	1884.60
750 beds and over	2180.80	2003.00

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Private Hospitals \$	Nursing Homes - Aged Care Facilities \$
1	13(i)(a)	In charge of Hospital	21.13 per shift	18.25 per shift
2	13(i)(b)	In charge of ward/unit in absence of NUM	21.13 per shift	18.25 shift
3	13(ii)(a)	On Call	18.48 per 24 hrs or part thereof	16.00 per 24 hrs or part thereof
4	13(ii)(b)	On call on rostered days off	37.04 per 24 hrs or part thereof	32.00 per 24 hrs or part thereof
5	13(ii)(c)	On call during meal break	9.42 per meal break	8.63 per meal break
6	13(iii)(a)	Radiographic allowance DON	26.68 per week	25.10 per week
7	13(iii)(c)	Radiographic allowance in absence of DON	5.44 per day	5.10 per day
8	13(iii)(c)	Radiographic allowance in absence of DON- maximum	26.68 per week	25.10 per week
9	13(iv)	Lead Apron Allowance	1.32 per hour or part thereof	1.24 per hour or part thereof
10	13(v)(a)	In charge of ward/unit and hospital	31.72 per shift	25.50 per shift
11	17(iii)(a)	Uniforms	5.31 per week	5.40 per week
12	17(iii)(a)	Shoes	1.64 per week	1.68 per week
13	17(iii)(b)	Stockings	2.75 per week	2.80 per week

14	17(iii)(c)	Cardigan or jacket	1.60 per week	1.62 per week
15	17(iii)(d)	Laundry	4.42 per week	4.50 per week
16	17(iii)(f)	Socks	0.54 cents per week	0.55 cents per week
17	19(vii)	Meal allowance overtime	14.50 per meal	13.80 per meal
18	32(a)(3)	Breakfast	2.96 per meal	2.98 per meal
9	32(a)(3)	Other meals	5.37 per meal	5.38 per meal

9. This variation shall take effect from the first full pay period to commence on or after 27 June 2005.

J. McLEAY, Commissioner.

Printed by the authority of the Industrial Registrar.

(1532)

SERIAL C3833**AUSTRALIAN RED CROSS BLOOD SERVICE EMPLOYEES (STATE)
AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, industrial organisation of employees.

(No. IRC 1854 of 2005)

Before Commissioner Bishop

22 June 2005

VARIATION

1. Delete clause 36, Salary Sacrifice to Superannuation, of clause 1, Arrangement, of the award published 22 February 2002 (331 I.G. 709), and insert in lieu thereof the following:

36. Superannuation

2. Delete clause 36, Salary Sacrifice to Superannuation, and insert in lieu thereof the following:

36. Superannuation**A. Superannuation**

- (i) The employer shall contribute to a superannuation fund on behalf of each eligible employee.

The "superannuation fund" for the purpose of this award shall mean:-

- (a) Local Government Superannuation Scheme (LGSS), or
Health Employees Superannuation Trust Australia (HESTA), or
Health Super.

The default fund is the Local Government Superannuation Scheme (LGSS).

- (ii) Upon commencement of employment, the employer shall provide each employee with membership forms for each of the above funds. In the event that the employee does not nominate a fund, the Employer shall forward contributions and employee details to the default superannuation fund.

B. Salary Sacrifice to Superannuation

- (i) Notwithstanding the salaries prescribed in Part-B, as varied from time to time, of this award, an employee may elect, subject to the agreement of the employer, sacrifice a portion of the salary payable under Part-B of the award to additional employer superannuation contributions. Such election must be made prior to the commencement of the period of service to which the earnings relate. The amount sacrificed must not exceed thirty (30) per cent of the salary payable under Part-B or thirty (30) per cent of the currently applicable superannuable salary, whichever is the lesser.

In this clause, "superannuable salary" means - the employee's salary as notified from time to time to the superannuation trustee corporations.

- (ii) Where the employee has elected to sacrifice a portion of that payable salary to additional employer superannuation contributions:
- (a) subject to Australian Taxation Law, the sacrificed portion of salary will reduce the salary subject to appropriate PAYE taxation deductions by the amount of that sacrificed portion; and
- (b) any allowance, penalty rate, overtime, payment for unused leave entitlements, weekly worker's compensation, or other payment, other than any payment for leave taken in service, to which an employee is entitled under the award or any applicable Act or Statute which is expressed to be determined by reference to an employee's salary, shall be calculated by reference to the salary which would have applied to the employee under the award in the absence of any salary sacrifice to superannuation made under this award.
- (iii) The employee may elect to have the portion of payable salary which is sacrificed to additional employer superannuation contributions.
- (a) paid into the Local Government Superannuation Scheme, Health Super, or HESTA as the optional employer contributions subject to the employer being recognised as a participating employer; or
- (b) subject to the employers agreement, paid into private sector complying superannuation scheme as employer superannuation contributions.
- (iv) Where an employee elects to salary sacrifice in terms of subclause (iii) above, the employer will pay the sacrificed amount into the relevant superannuation fund.
- (v) Where, prior to electing to sacrifice a portion of his/her salary to superannuation, an employee had entered into an agreement with his/her employer to have superannuation contributions made to a superannuation fund other than a fund established under legislation listed in subclause (iii) above, the employer will continue to base contributions to that fund on the salary payable under Part-B of the award to the same extent as applied before the employee sacrificed portion of that salary to superannuation. This clause applies even though the superannuation contributions made by the employer may be in excess of the superannuation guarantee requirements after the salary sacrifice is implemented.

3. Delete Table 1 - Salary Rates, of Part B, and insert in lieu thereof the following:

PART B

Table 1 - Salary Rates

NOTE: To convert annual salaries to weekly rates, annual salaries should be divided by 52.1785714 weeks.

Classification	Rate From 1.7.2004 4% weekly \$	Rate From 1.7.2004 4% annual \$	Rate From 1.7.2005 4% weekly \$	Rate From 1.7.2005 4% annual \$
Clerical & Administration Staff				
Junior (under 18 years of age)	394.10	20,564	409.90	21,388
Administration Officer - Level 1				
1st year	577.10	30,112	600.20	31,318
2nd year	601.50	31,385	625.60	32,643
3rd year	625.00	32,612	650.00	33,916
4th year	640.50	33,420	666.10	34,756
5th year	656.40	34,250	682.70	35,622

Administration Officer - Level 2				
1st year	679.60	35,461	706.80	36,880
2nd year	703.60	36,713	731.70	38,179
Administration Officer - Level 3				
1st year	728.00	37,986	757.10	39,504
2nd year	752.00	39,238	782.10	40,809
Administration Officer - Level 4				
1st year	772.40	40,303	803.30	41,915
2nd year	791.00	41,273	822.60	42,922
Administration Officer - Level 5				
1st year	815.60	42,557	848.20	44,258
2nd year	835.20	43,580	868.60	45,322
Administration Officer - Level 6				
1st year	863.00	45,030	897.50	46,830
2nd year	884.30	46,142	919.70	47,989
Computer Staff				
Analyst				
1st year	1,013.90	52,904	1,054.50	55,020
2nd year	1,045.60	54,558	1,087.40	56,740
3rd year	1,087.80	56,762	1,131.40	59,032
4th year	1,119.30	58,405	1,164.10	60,741
5th year	1,157.90	60,415	1,204.20	62,832
6th year and Thereafter	1,189.20	62,050	1,236.80	64,532
Senior Analyst				
1st year	1,237.70	64,581	1,287.20	67,164
2nd year	1,274.90	66,523	1,325.90	69,184
3rd year	1,318.40	68,790	1,371.10	71,542
4th year	1,355.40	70,722	1,409.60	73,551
5th year	1,404.70	73,297	1,460.90	76,229
6th year and Thereafter	1,442.00	75,240	1,499.70	78,250
Computer Operator - Grade 1				
1st year	601.40	31,379	625.40	32,634
2nd year	625.00	32,610	650.00	33,914
3rd year	640.80	33,434	666.40	34,771
Thereafter	656.70	34,264	682.90	35,635
Computer Operator - Grade 2				
1st year	679.30	35,446	706.50	36,864
2nd year	703.20	36,690	731.30	38,158
Thereafter	727.60	37,964	756.70	39,483
Senior Computer Operator - Grade 1				
1st year	772.00	40,284	802.90	41,895
2nd year	791.10	41,278	822.70	42,929
3rd year	815.20	42,537	847.80	44,238
Thereafter	835.40	43,590	868.80	45,334
Senior Computer Operator - Grade 2				
1st year	863.00	45,029	897.50	46,830
2nd year	884.20	46,135	919.50	47,980
3rd year	916.90	47,841	953.50	49,755
Thereafter	942.30	49,168	980.00	51,135
Programmer				
1st year	815.20	42,537	847.80	44,238
2nd year	863.00	45,029	897.50	46,830
3rd year	916.90	47,841	953.50	49,755
4th year	1,013.90	52,904	1,054.50	55,020
5th year	1,087.80	56,762	1,131.40	59,032
Thereafter	1,119.30	58,405	1,164.10	60,741

Programming Supervisor				
1st year	1,157.80	60,415	1,204.20	62,832
2nd year	1,189.20	62,050	1,236.80	64,532
3rd year	1,237.70	64,581	1,287.20	67,164
Thereafter	1,274.90	66,523	1,325.90	69,184
Computer Manager - Grade 1				
1st year	1,237.70	64,581	1,287.20	67,164
2nd year	1,274.90	66,523	1,325.90	69,184
3rd year	1,318.40	68,790	1,371.10	71,542
4th year	1,355.40	70,722	1,409.60	73,551
5th year	1,404.70	73,297	1,460.90	76,229
6th year	1,442.00	75,240	1,499.70	78,250
Computer Manager - Grade 2				
1st year	1,404.70	73,297	1,460.90	76,229
2nd year	1,442.00	75,240	1,499.70	78,250
3rd year	1,516.80	79,145	1,577.50	82,311
4th year	1,591.20	83,027	1,654.90	86,348
Education & Research Staff Education Officer - Graduate (Formerly Health Education Officer - Graduate)				
1st year of service	763.20	39,823	793.70	41,416
2nd year of service	799.90	41,737	831.90	43,406
3rd year of service	849.50	44,326	883.50	46,099
4th year of service	897.30	46,820	933.20	48,693
5th year of service	950.20	49,582	988.20	51,565
6th year of service	999.50	52,150	1,039.40	54,236
7th year of service	1,041.30	54,331	1,082.90	56,504
8th year of service	1,082.90	56,503	1,126.20	58,763
9th year of service & thereafter	1,129.90	58,958	1,175.10	61,316
A Graduate Education Officer who:-				
(i) has completed 12 months service at the salary prescribed on the maximum of the scale;				
(ii) has demonstrated to the satisfaction of the employer by the work performed and the results achieved, the aptitude, abilities and qualities of mind warranting such payment, may progress to the following rate				
On Maximum for 12 months	1,186.80	61,925	1,234.30	64,402
and after 12 months service in receipt of this rate, shall be paid the following rate subject to approval of the.				
Grading Committee				
On Maximum for further 12 months	1,243.80	64,899	1,293.50	67,495
Engineer & Maintenance Staff Engineer				
Grade 1	915.40	47,764	952.00	49,674
Grade 2	981.40	51,208	1,020.70	53,259
Grade 3	1,046.70	54,615	1,088.60	56,802
Grade 4	1,112.40	58,043	1,156.90	60,365
Grade 5	1,210.70	63,173	1,259.10	65,698
Grade 6	1,308.80	68,291	1,361.20	71,025
Grade 7	1,521.20	79,374	1,582.00	82,546
Maintenance Supervisor (Tradesman)				
Grade 1	820.10	42,792	852.90	44,503
Grade 2	883.20	46,084	918.50	47,926
Managers				
Level 1 From	909.10	47,436	945.50	49,333
To	1,222.90	63,808	1,271.80	66,360
Level 2 From	1,195.00	62,356	1,242.90	64,850
To	1,417.40	73,959	1,474.10	76,917
Level 3 From	1,389.60	72,509	1,445.20	75,409
To	1,584.20	82,660	1,647.50	85,966

Level 4	From	1,556.40	81,209	1,618.60	84,457
	To	1,862.10	97,162	1,936.60	101,048
Level 5	From	1,834.30	95,711	1,907.70	99,539
	To	2,056.70	107,314	2,138.90	111,607
Level 6	From	2,013.10	105,040	2,093.60	109,242
	To	2,202.40	114,920	2,290.50	119,517
General Administrative Staff					
Grade 1		681.20	35,544	708.40	36,963
Grade 2		708.60	36,974	736.90	38,450
Grade 3		733.70	38,283	763.00	39,812
Grade 4		758.50	39,577	788.80	41,158
Grade 5		771.50	40,256	802.40	41,868
Grade 6		796.50	41,560	828.40	43,225
Grade 7		823.80	42,985	856.80	44,707
Grade 8		871.00	45,448	905.80	47,263
Grade 9		950.00	49,570	988.00	51,552
Grade 10		980.40	51,156	1,019.60	53,201
Grade 11		1,029.40	53,713	1,070.60	55,862
Grade 12		1,101.60	57,480	1,145.70	59,781
Grade 13		1,181.10	61,628	1,228.30	64,091
Grade 14		1,256.20	65,547	1,306.40	68,166
Medical Staff					
Career Medical Officers - The 4% increase does not apply, these rates remain unchanged since 1/7/2003					
Grade 1					
1st year		1,297.00	67,678	1,297.00	67,678
2nd year		1,399.70	73,036	1,399.70	73,036
3rd year		1,498.30	78,179	1,498.30	78,179
4th year		1,614.00	84,215	1,614.00	84,215
Grade 2					
1st year		1,684.60	87,902	1,684.60	87,902
2nd year		1,741.50	90,869	1,741.50	90,869
3rd year		1,810.30	94,458	1,810.30	94,458
4th year		1,879.90	98,090	1,879.90	98,090
Grade 3					
1st year		1,938.30	101,140	1,938.30	101,140
2nd year		2,052.00	107,069	2,052.00	107,069
3rd year		2,232.50	116,489	2,232.50	116,489
Medical Officers					
Resident					
1st year		997.40	52,045	1,037.30	54,127
2nd year		1,097.10	57,243	1,140.90	59,533
3rd year		1,242.60	64,836	1,292.30	67,429
4th year		1,348.90	70,385	1,402.90	73,200
Registrar					
1st year		1,242.60	64,836	1,292.30	67,429
2nd year		1,348.90	70,385	1,402.90	73,200
3rd year		1,455.70	75,957	1,513.90	78,995
4th year		1,558.20	81,306	1,620.60	84,558
Allowances					
Higher Medical Qualification Allowance (p/wk)					
		43.16		43.16	
The above allowance is paid to officers who obtain an appropriate higher medical qualification subsequent to graduation. It does not apply to an officer appointed as a Senior Registrar.					
The salary prescribed for a Senior Registrar has taken into account that a higher medical qualification is a prerequisite for appointment.					
On-call - for Day Off Duty (p/day)		20.80		20.80	
On-call - for Day On Duty (p/day)		10.40		10.40	
On-call - Maximum payment per week		72.80		72.80	

Higher medical Qualification after 5 years (p/wk)	21.58		21.58	
The qualification allowance is paid when an Officer in his/her fifth and subsequent years of registrar-ship is expected to meet the formal requirements of a higher medical qualification in that year.				
Part-Time Medical Officers				
Less than 3 yrs post-graduate experience (p/hr)	37.60		39.10	
More that 3 yrs post-graduate experience (p/hr)	43.80		45.55	
More that 6 yrs post-graduate experience (p/hr)	53.10		55.22	
Provided that no officer may be employed for more than 24 hours in any period of 7 consecutive days.				
Formula: Part-time Medical Officer with less that 3 years post-graduate experience = 1st year Registrar divided by 52.1785714 divided by 38 plus 15%				
Part-time Medical Officer with more than 3 years post-graduate experience = 3rd year Registrar divided by 52.1785714 divided by 38 plus 15%.				
Part-time Medical Officer with more that 6 years post-graduate experience = Senior Registrar divided by 52.1785714 divided by 38 plus 15%				
Scientific & Technical Staff Trainee Scientist (Formerly Trainee Hospital Scientist)				
1st year	424.80	22,165	441.80	23,052
2nd year	459.60	23,981	478.00	24,941
3rd year	528.70	27,587	549.80	28,688
4th year	606.10	31,625	630.30	32,888
5th year	681.70	35,570	709.00	36,995
6th year	750.90	39,181	80.90	40,746
The Commencing salary of the Trainee Scientist who on appointment has completed part of a degree course shall be fixed having regard to that part of the course that has been successfully completed				
Provided that each year of full-time or part-time study for an appropriate degree combined with employment as a Trainee Scientist shall be considered for salary purposes as the equivalent of one year's service in the Trainee Scientist scale.				
Scientist (Formerly Hospital Scientist)				
1st year	785.30	40,976	816.70	42,614
2nd year	814.80	42,515	847.40	44,216
3rd year	865.00	45,134	899.60	46,940
4th year	924.20	48,223	961.20	50,154
5th year	988.10	51,558	1,027.60	53,619
6th year	1,051.00	54,840	1,093.00	57,031
7th year	1,102.10	57,506	1,146.20	59,807
8th year & thereafter	1,137.70	59,364	1,183.20	61,738
Scientist - On-call per 24 hours	8.00	8.30		
Senior Scientist (Formerly Senior Hospital Scientist)				
1st year	1,223.70	63,851	1,272.60	66,402
2nd year	1,264.60	65,985	1,315.20	68,625
3rd year	1,299.90	67,827	1,351.90	70,540
4th year	1,442.30	75,257	1,500.00	78,268
5th year	1,482.30	77,344	1,541.60	80,438
6th year	1,532.60	79,969	1,593.90	83,167
7th year	1,579.30	82,406	1,642.50	85,703
8th year & thereafter	1,619.00	84,477	1,683.80	87,858

Allowances				
Provided that a Senior Scientist shall not progress beyond the salary prescribed for the third year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the degree of Master of Science of an approved university or has been admitted as a Member of the Australian Association of Clinical Biochemists or holds such qualifications as are deemed equivalent.				
Provided further that any Senior Scientist in receipt of the fourth year of service rate and above or Principal Hospital Scientist who holds the degree of Master of Science or is a Fellow of the Australian Institute of Medical Laboratory Scientists or holds appropriate equivalent qualifications shall be paid the following allowance				
Senior/Principal H.S. Master of Science	41.90		43.60	
Principal Scientist (Formerly Principal Hospital Scientist)				
1st year	1,734.50	90,504	1,803.90	94,125
2nd year	1,777.80	92,763	1,848.90	96,473
3rd year	1,825.70	95,262	1,898.70	99,071
4th year	1,869.10	97,527	1,943.90	101,430
5th year	1,914.50	99,896	1,991.10	103,893
6th year	1,959.20	102,228	2,037.60	106,319
7th year	2,004.50	104,592	2,084.70	108,777
8th year	2,050.30	106,982	2,132.30	111,260
9th year	2,094.90	109,309	2,178.70	113,681
10th year & thereafter	2,141.20	111,725	2,226.80	116,191
Provided that a Principal Scientist shall not progress beyond the salary prescribed for the fourth year of the scale unless such officer holds a post-graduate degree in Science at least equivalent to the Degree of Doctor of Philosophy of an approved university or has been admitted as a Fellow of the Australian Association of Clinical Biochemists, or holds such qualifications as are deemed equivalent.				
Technical Assistant-Junior				
At 16 years	363.50	18,967	378.00	19,723
At 17 years	418.90	21,858	435.70	22,734
At 18 years	478.00	24,941	497.10	25,938
At 19 years	540.70	28,213	562.30	29,340
At 20 years	593.00	30,942	616.70	32,179
Technical Assistant-Adult - Grade 1				
1st year	642.60	33,530	668.30	34,871
2nd year	655.30	34,193	681.50	35,560
Thereafter	670.40	34,981	697.20	36,379
Technical Assistant-Adult - Grade 2				
1st year	655.30	34,193	681.50	35,560
2nd year	670.40	34,981	697.20	36,379
Thereafter	682.20	35,596	709.50	37,021
Technical Officer - Grade 1				
1st year	701.20	36,588	729.20	38,049
2nd year	718.10	37,469	746.80	38,967
3rd year	734.20	38,310	763.60	39,844
4th year	751.80	39,228	781.90	40,798
5th year	768.20	40,084	798.90	41,685
6th year	797.20	41,597	829.10	43,261
7th year	823.10	42,948	856.00	44,665
8th year	845.80	44,133	879.60	45,896
Technical Officer - Grade 2				
1st year	904.10	47,175	940.30	49,064
2nd year	935.60	48,818	973.00	50,770
3rd year	967.00	50,457	1,005.70	52,476
4th year	1,028.00	53,640	1,069.10	55,784
Senior Technical Officer				
1st year	1,078.10	56,254	1,121.20	58,503
2nd year	1,095.50	57,162	1,139.30	59,447
3rd year and Thereafter	1,113.00	58,075	1,157.50	60,397

Ancillary Staff				
Animal Technician				
1st year	648.50	33,838	674.40	35,189
2nd year	660.80	34,480	687.20	35,857
3rd year	673.50	35,142	700.40	36,546
4th year	686.90	35,841	714.40	37,276
General Service Officer (Formerly Hospital Assistant)				
Grade 1 - Junior	505.80	26,392	526.00	27,446
Grade 1 - Adult	593.70	30,978	617.40	32,215
Grade 2 - Adult	607.20	31,683	631.50	32,951
Grade 3 - Adult	616.70	32,179	641.40	33,467
Motor Vehicle and/or Bus Driver				
Up to 2950 Kilograms	641.80	33,488	667.50	34,829
Over 2950 Kg & up to 4650 Kg	646.50	33,733	672.40	35,085
Over 4650 Kg & up to 6250 Kg	651.20	33,979	677.20	35,335
Over 6250 Kg & up to 7700 Kg	655.10	34,182	681.30	35,549
Over 7700 Kg & up to 9200 Kg	659.50	34,412	685.90	35,789
Over 9200 Kg & up to 10800 Kg	662.50	34,568	689.00	35,951
Over 10800 Kg & up to 12350 Kg	666.40	34,772	693.10	36,165
Over 12350 Kg & up to 13950 Kg	669.80	34,949	696.60	36,348
Over 13950 Kg & up to 15500 Kg	673.50	35,142	700.40	36,546
Over 15500 Kg & up to 16950 Kg	675.30	35,236	702.30	36,645
Over 16950 Kg & up to 18400 Kg	676.90	35,320	704.00	36,734
Over 18400 Kg & up to 19750 Kg	678.00	35,377	705.10	36,791
Over 19750 Kg & up to 21100 Kg	679.60	35,461	706.80	36,880
Over 21100 Kg & up to 22450 Kg	682.70	35,622	710.00	37,047

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

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Description	Rate at 1 July 2004 \$	Rate at 1 July 2005 \$
1	8 (iii)	On-Call Allowance (per 24 hrs)	16.38	17.03
2	8 (iv)	On-Call Allow-rostered days off (per 24hrs)	32.35	33.65
3	8 (v)	On-Call Allowance (per 24 hrs) - Scientists	7.70	7.70
4	9 (vi)	Broken Shift (per shift)	8.10	8.40
5	10 (iiii)	Cold Places (per hour) **	0.45	0.45
6	12 (iv)(a)	Breakfast - Scientists only	19.75	19.75
	12 (iv)(b)	Lunch - Scientists only	19.75	19.75
	12 (iv)(c)	Dinner - Scientists only	19.75	19.75
7	12 (iv)	Meals - Other (each)	13.50	13.50
8	21 (i)(c)	Uniform (per week)	4.15	4.15
		Uniform-with cardigan & Shoes (addit. p/wk)	1.62	1.62
9	21 (i)(d)	Uniform-laundering (per week)	4.75	4.75
10	7	Transport Allowance		
		- 1600cc & above	32.3c/km	32.3c/km
		- Less Than 1600cc	27.1c/km	27.1c/km
11	11 (ii)(d)	Kilometre Allowance		
		- 1600cc & above	32.3c/km	32.3c/km
		- Less Than 1600cc	27.1c/km	27.1c/km
	11 (iv)(b)	As above where costs are in excess of \$5:00		

** Allowances payable are determined as per movements occurring within the Public Hospital Employees Skilled Tradesmen (State) Award

5. This variation shall take effect from the first pay period to commence on or after 22 June 2005.

E. A. R. BISHOP, Commissioner.

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(1322)

SERIAL C3777

INTEGRAL ENERGY CONDITIONS OF EMPLOYMENT AWARD 2003

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Electrical Trades Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 2409 of 2005)

Before The Honourable Mr Deputy President Harrison

19 May 2005

VARIATION

1. Insert after subclause 3.17, of clause 3, Contract of Employment, of the award published 15 August 2003 (340 I. G. 949), the following new subclause:

3.18 Superannuation

(i) Default Superannuation Scheme

Subject to the provisions of relevant superannuation legislation, employees under this Award will have their Superannuation contributions paid into the Energy Industries Superannuation Scheme (EISS).

(ii) Salary Sacrifice To Superannuation

(a) An employee may elect in lieu of being paid an amount of Award Wages to have an equivalent amount paid by way of Superannuation contributions in accordance with the relevant provisions of the EISS.

(b) Subject to the provisions of relevant superannuation legislation, these contributions shall be paid to the EISS.

The employee's election to vary their superannuation benefit must be in writing and would occur no more than once per calendar year, with effect from 1 July each year.

2. This variation shall take effect from the first full pay period to commence on or after 19 May 2005.

R. W. HARRISON *D.P.*

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(150)

SERIAL C3770

**NEW SOUTH WALES COLLIERS AND SMALL SHIPS (STATE)
AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Seamens' Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 1834 of 2005)

Before Mr Deputy President Sams

30 May 2005

VARIATION

- Delete Part B Monetary Rates, of the award published 5 October 2001 (328 I.G. 406), and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Classification	Weekly Aggregate Wage Present \$	Weekly Aggregate Wage 2002 \$	Weekly Aggregate Wage 2003 \$	Weekly Aggregate Wage 2004 \$	Annual Aggregate Wage \$
Able Seamen; Sailors, Greasers, Firemen, Trimmers, General Purpose Hands, Integrated Rating, Catering Attendant	1001.80	1019.80	1034.80	1053.80	54,798.00
Chief Integrated Rating, Chief Stewart/Caterer Chief Cook	1041.80	1059.80	1074.80	1093.80	56,878.00

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Description	Amount \$
1	17.1	Ships Stranded or Wrecked or On Fire	10.52 per hour
2	17.5	Ships Stranded or Wrecked or On Fire	2872

P. J. SAMS *D.P.*

(008)

SERIAL C3940**OPERATIONAL AMBULANCE OFFICERS (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Ambulance Service of New South Wales.

(No. IRC 3604 of 2005)

Before Commissioner McLeay

27 July 2005

VARIATION

1. Insert a new classification in clause 5, Classifications of the Award published 10 July 1998 (305 I.G. 905) as follows:

"Aeromedical Operations Officer" means an employee who has successfully completed the requirements for and is appointed to an Aeromedical Operations Officer position identified as such by the Service.

Provided that such an employee shall be required to undertake and successfully complete further instruction/in service courses and certification examinations as required by the Service every two (2) years.

2. Delete the following classifications and rates of pay from Table 1 - Monetary Rates, of Part B:

	Rate from 1.1.2002 \$	Rate from 1.1.2003 \$	Rate from 1.7.2003 \$	Rate from 1.7.2004 \$
Duty Operations Centre Officer (not employed in Operations Centres)	846.90	880.80	924.80	961.80
Senior Operations Centre Officer (not employed in Operations Centres)	873.00	907.90	953.30	991.40

3. Insert the following new classification and rates of pay to Table 1 - Monetary Rates, of Part B:

	Rate from 11.12.2002 \$	Rate from 1.1.2003 \$	Rate from 15.3.2003 \$	Rate from 1.7.2003 \$	Rate from 1.7.2004 \$
Aeromedical Operations Officer	867.80	902.50	974.70	1023.40	1064.30

4. This variation shall take effect from the first full pay period to commence on or after 27 July 2005.

J. McLEAY, Commissioner.

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LOCAL GOVERNMENT (STATE) AWARD 2004

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government Clerical, Administrative, Energy, Airlines and Utilities Union, industrial organisation of employees.

(No. IRC 7177 of 2004)

Before The Honourable Justice Wright, President

1 July 2005

VARIATION

1. Delete clause 16, Hours of Work, of the award published 22 April 2005 (350 I.G. 471) and insert in lieu thereof the following:

16. Hours of Work**A. Ordinary Hours**

- (i) Except as otherwise provided, the ordinary hours of work shall be 38 hours per week arranged on one of the following bases:

38 hours within one week provided that at least two days off shall be granted; or

76 hours within two weeks provided that at least four days off shall be granted; or

114 hours within three weeks provided that at least six days off shall be granted; or

152 hours within four weeks provided that at least eight days off shall be granted.

- (ii) The ordinary hours of work for employees engaged in the following functions shall be 35 hours per week:

Administration

Building Surveying

Community Services (Professional/Specialist Band 3)

Engineering (Professional and Trainees)

Executive Band

Finance

Health Surveying

Library

Public Relations

Technical Services

Town Planning

The ordinary hours for employees working 35 hours per week shall be arranged on one of the following bases:

35 hours within one week provided that at least two days off shall be granted; or

70 hours within two weeks provided that at least four days off shall be granted; or

105 hours within three weeks provided that at least six days off shall be granted; or 140 hours within four weeks provided that at least eight days off shall be granted.

(iii) Except as otherwise provided, the ordinary hours for all employees shall be between Monday and Sunday.

(iv) The ordinary hours for employees engaged in the following functions shall be between Monday and Friday:

Administration;

Building Surveyors;

Crematoriums and Cemeteries;

Engineering (Professional and Trainees);

Finance;

Health Surveyors;

Road Construction and Maintenance;

Sale Yards;

Stores and Depots;

Town Planning;

Trade functions

(v) An employee's commencement and/or finishing times may be altered by agreement. Such an agreement must be in writing and must be genuine with no compulsion to agree.

(vi) An unpaid meal break of a minimum of 30 minutes shall be given and taken within the first five hours of continuous work. Thereafter, a paid meal break not exceeding 20 minutes shall be given and taken after a further five hours continuous work. In the case of unforeseen circumstances, the meal break may be delayed and shall be taken as soon as practicable, subject to the observance of appropriate occupational health and safety standards.

(vii) Ordinary hours of work shall not exceed twelve (12) hours in any one-day exclusive of unpaid meal breaks.

B Saturday And Sunday Work

(i) Except as otherwise provided, ordinary hours worked on a Saturday shall attract a 25% penalty in addition to the ordinary hourly rate of pay and ordinary hours worked on a Sunday shall attract a 50% penalty in addition to the ordinary hourly rate of pay.

- (ii) The ordinary hours worked by employees engaged in the following functions shall attract a 50% penalty in addition to the ordinary hourly rate of pay for work on a Saturday and a 100% penalty in addition to the ordinary hourly rate of pay for work on a Sunday:

Beach inspectors;
 Cleaning;
 Garbage;
 Mechanical Trades (Workshops);
 Parks and Reserves;
 Rangers and parking officers;
 Sanitary;
 Sewerage;
 Sullage;
 Waste; and
 Water

- (iii) An employee may request to work ordinary hours on a Saturday and/or a Sunday in lieu of the ordinary hours the employee would otherwise be rostered to work.
- (a) An employee's request must be in writing and must outline a period within which the arrangement is to be reviewed;
- (b) Council will not unreasonably withhold agreement to such a request;
- (c) Any such agreement shall not apply to new or vacant provisions;
- (d) Where an employee requests to work ordinary hours on a Saturday and/or a Sunday under the provisions of this sub-clause, Council shall not be required to pay the penalty rate provided by sub-clauses (i) and/or (ii).

C Shift Work

- (i) Except as otherwise provided ordinary hours worked outside the span of 6:00am to 6:00pm Monday to Friday shall attract a 20% shift penalty in addition to the ordinary hourly rate of pay for the actual time worked outside the span of hours specified in this sub-clause.
- (ii) Employees engaged in the following functions will be entitled to a 20% shift penalty in addition to the ordinary hourly rate of pay for the actual time worked outside the following times:

Aerodromes	5:00am to 10:00pm
Caretakers	5:00am to 10:00pm
Childcare	6:00am to 7:00pm
Cleaners	5:00am to 9:00pm
Entertainment, Theatres and Hospitality	6:00am to 11:00pm
Libraries	8:00am to 9:00pm
Leisure Centres	5:00am to 11:00pm
Parking Station Attendants	6:00am to 10:00pm
Pools	5:00am to 11:00pm

Rangers and parking officers	5:00am to 10:00pm
Security/watchpersons	5:00am to 10:00pm

- (iii) Shift penalties shall be payable for ordinary work performed between Monday and Friday and shall not be paid on weekends.
- (iv) With the exception of staff engaged in the function of street sweeping, employees in receipt of the higher disability allowance provided under clause 13(i)(b) of this Award shall not also receive shift penalties for work performed outside the hours of 6:00am to 6:00pm Monday to Friday as provided by sub-clause (i).
- (v) An employee may request to work ordinary hours outside the span of 6:00am and 6:00pm or any of the other spans detailed in clause 16C(ii), in lieu of the ordinary hours the employee would otherwise be rostered to work.
 - (a) An employee's request must be in writing and must outline a period within which the arrangement is to be reviewed;
 - (b) Council will not unreasonably withhold agreement to such a request;
 - (c) Any such agreement shall not apply to new or vacant positions;
 - (d) Where an employee requests to work ordinary hours outside the relevant span of hours Council shall not be required to pay a shift penalty for the actual time worked.

D Facilitative Provisions

- (i) An employee's commencement and/or finishing times may be altered by agreement. Such an agreement must be in writing and must be genuine with no compulsion to agree.
 - (ii) A Council and the Union may agree on hours of work, weekend penalties and shift penalties other than those prescribed in this clause.
2. Delete subclause (ii), of clause 20, Flexibility for Work and Family Responsibilities, and insert in lieu thereof:
- (ii) Flexible work and leave arrangements include but are not limited to:
 - (a) make up time;
 - (b) flexi time;
 - (c) time in lieu;
 - (d) leave without pay;
 - (e) annual leave;
 - (f) part-time work;
 - (g) job share arrangements; and
 - (h) variations to ordinary hours and rosters.
3. Delete clause 22, Casual Employment, and insert in lieu thereof the following:

22. Casual Employment

- (i) A casual employee shall mean an employee engaged on a day to day basis.
 - (ii) A casual employee shall be paid the hourly rate for ordinary hours worked in accordance with Clause 16, Hours of Work.
 - (iii) Casual employees who work on Saturday and/or Sunday are entitled to penalty rates prescribed by clause 16B. The penalties are calculated on the ordinary hourly rate.
 - (iv) Casual employees who work outside the relevant spread of hours identified at clause 16C(i) and (ii) are entitled to a shift penalty. The penalty is calculated on the ordinary hourly rate.
 - (v) Overtime shall be paid where a casual employee works outside the ordinary hours for that position. In cases where there are no ordinary hours for the position, overtime shall be paid for the hours worked in excess of those prescribed in Clause 16, Hours of Work.
 - (vi) In addition to the amounts prescribed by subclause (ii) of this clause, a twenty-five percent loading, calculated on the ordinary hourly rate, shall be paid. This loading shall not attract any penalty. This loading shall be paid in lieu of all leave and severance pay, except for paid maternity leave, prescribed by the award.
 - (vii) Casual employees engaged on a regular and systematic basis shall:
 - (a) Have access to annual assessment under council's salary system.
 - (b) Have their service as a casual counted as service for the purpose of calculating long service leave where the service as a casual employee is continuous with their appointment to a permanent position on council's structure. In calculating the long service leave entitlement in such cases there shall be a deduction of the long service leave accrued whilst the employee was employed as a casual.
 - (viii) A casual employee shall not replace an employee of council on a permanent basis.
4. Delete subparagraph C (i) (h), of clause 27, Consultative Committees, and insert in lieu thereof the following:
- (h) changes to variable working hours arrangements for new or vacant positions
5. Delete paragraph (ii)(b), of clause 38, Savings and Transitional, and insert in lieu thereof the following new paragraphs:
- (b) Unless otherwise agreed employees, including seasonal workers, who are in regular receipt of penalty rates and/or shift penalties, aggregate rates of pay or other arrangements that compensate for hours of work shall either continue to receive such benefits or the payments prescribed by clause 16, whichever is the higher.
 - (c) The provisions in subclause (ii)(b) shall apply where Council and Enterprise Agreements are terminated.
 - (d) The provisions in subclause (ii)(b) shall apply in addition to the Award increases prescribed by clause 40.
6. Delete subclause (iii), of clause 39, Leave Reserved, and insert in lieu thereof the following:
- (iii) Leave is reserved for the parties to apply in respect of changes in responsibilities for professional engineers arising out of the *Civil Liability Act* and changes in responsibilities arising from accreditation of council (development) certifiers.

7. This variation shall be effective from the first pay period commencing on or after 1 October 2005.

F. L. WRIGHT *J, President.*

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(380)

SERIAL C3874**HEALTH EMPLOYEES' (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Health Services Union, industrial organisation of employees.

(No. IRC 6907 of 2001)

Before Commissioner McLeay

12 July 2005

VARIATION

1. Insert after subclause (Xli) of clause 1, Definitions, of the award published 6 November 1998 (307 I.G. 29), the following new subclauses:

(XLii) Centralised Food Production Unit (CFPU) means a centralised food production unit established by an Area Health Service or the Health Administration Corporation that produces and supplies bulk food produce in advance.

The CFPU produces but is not limited to cook chill food in the form of extended life cook chill and/or short shelf life cook chill product. The CFPU can also produce bulk food as cook freeze product, and as prepared non-cooked items including but not limited to items such as salad vegetables, fruit, desserts, prepared cold meats etc. This food is produced using such technologies as Extended Life Cook Chill (ELCC), Short Term Cook Chill (STCC) and Cook Freeze (CF) and distributed to receiving/finishing and satellite kitchens which may be within or adjacent to the CFPU or off site.

(XLiii) CFPU Chef means a person appointed to such a position in a CFPU and who is accountable for the preparation, production and portioning of bulk food products and other non-cooked items in the CFPU. The CFPU Chef is responsible for the supervision of staff.

(XLiv) CFPU Cook

(a) Level 2 - means a person appointed to such a position in a CFPU and who is responsible for the preparation, production and portioning of bulk food products and other non-cooked items and associated food production tasks. The CFPU Cook is responsible for the supervision of employees working in the above processes.

(b) Level 1 - means a person appointed to such a position in a CFPU and under the supervision of a CFPU Cook Level 2 who assists in the preparation, production and portioning of bulk food products and other non-cooked items.

2. Insert at end of Table 1, Salaries of Part B, Monetary Rates, the following new classifications:

Classification	Rate from 1.1.2004 \$
CFPU Chef	
Level 1	681.30
Level 2	705.50
Level 3	729.30
CFPU Cook	
Level 1	655.00
Level 2	681.30

3. This variation shall take effect from the first pay period to commence on or after 1 January 2004.

J. McLEAY, Commissioner.

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ACTORS (THEATRICAL) (STATE) AWARD

Erratum to Serial C3414 published 1 July 2005

(352 I.G. 122)

(No. IRC 4677 of 2004)

ERRATUM

1. For paragraph 16.2.1, of clause 16, Classifications and Wage Rates, substitute the following:

Category 1:	Previous minimum weekly rate of pay \$	SWC 2003 \$	Minimum weekly rate of pay from 25 November 2004 \$
Performer Grade 1	585.80	17.00	602.80
Grade 2	627.50	17.00	644.50
Opera Principal	661.00	17.00	678.00
Category 2: Performer	627.50	17.00	644.50

G. M. GRIMSON *Industrial Registrar.*

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(1654)

SERIAL C4067

**JOHN HOLLAND PTY LIMITED STOCKLANDS WETHERILL PARK
PROJECT AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4131 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the John Holland Pty Limited Stocklands Wetherill Park Project Award, published 13 December 2002 (337 I.G. 410) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

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(1651)

SERIAL C4068

**SIMON ENGINEERING (AUSTRALIA) PTY LTD, UNITED
COLLIERIES CHPP CONSTRUCTION PROJECT CONSENT AWARD
2002**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4133 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the Simon Engineering (Australia) Pty Ltd, United Collieries CHPP Construction Project Consent Award 2002, published 6 December 2002 (337 I.G. 268) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

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(1648)

SERIAL C4066

ERINA FAIR EXPANSION PROJECT AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4129 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the Erina Fair Expansion Project Award, published 4 October 2002 (336 I.G. 566) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

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(1655)

SERIAL C4064

591 GEORGE STREET PROJECT AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4117 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the 591 George Street Project Award, published 20 December 2002 (337 I.G. 503) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

Printed by the authority of the Industrial Registrar.

(1661)

SERIAL C4065

**RICHARD CROOKES CONSTRUCTIONS - UNIONS NEW SOUTH
WALES DILLWYNIA CORRECTIONAL CENTRE PROJECT AWARD
2002**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4119 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the Richard Crookes Constructions - Unions New South Wales Dillwynia Correctional Centre Project Award 2002 published 21 March 2003 (338 I.G. 912) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

Printed by the authority of the Industrial Registrar.

**CLERICAL AND ADMINISTRATIVE EMPLOYEES, SANKEY
AUSTRALIA AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Sankey Australia Pty Limited.

(No. IRC 4729 of 2005)

Before The Honourable Mr Deputy President Harrison

16 September

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the Clerical and Administrative Employees, Sankey Australia Award published 4 September 1998 (306 I.G. 506) as varied, be rescinded on and from 16 September 2005.

R. W. HARRISON *D.P.*

Printed by the authority of the Industrial Registrar.

(1677)

SERIAL C4063

**THE LHMU AND TIP TOP BAKERIES (NSW) SPECIAL SHIFT
ROSTER ARRANGEMENTS (INTERIM) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

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

(No. IRC 4116 of 2005)

Before Mr Deputy President Sams

23 September 2005

ORDER OF RESCISSION

The Industrial Relations Commission of New South Wales orders that the LHMU and Tip Top Bakeries (NSW) Special Shift Roster Arrangements (Interim) Award published 27 June 2003 (340 I.G. 197) as varied, be rescinded on and from 23 September 2005.

P. J. SAMS *D.P.*

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SERIAL C4093

ENTERPRISE AGREEMENTS APPROVED BY THE INDUSTRIAL RELATIONS COMMISSION

(Published pursuant to s.45(2) of the *Industrial Relations Act 1996*)

EA05/262 - PGH Bricks and Pavers NSW - TWU Enterprise Agreement 2005

Made Between: CSR Ltd -&- the Transport Workers' Union of New South Wales.

New/Variation: New.

Approval and Commencement Date: Approved 7 October 2005 and commenced 30 June 2005.

Description of Employees: The agreement applies to all employees employed by CSR Limited, employed in NSW (whether members of the Union or not) who fall within the coverage of the Transport Industry (State) Award.

Nominal Term: 12 Months.

EA05/263 - Rocla Quarry Products NSW Enterprise Bargaining Agreement 2005

Made Between: Rocla Ltd trading as Rocla Quarry Products -&- The Australian Workers' Union, New South Wales .

New/Variation: Replaces EA04/5.

Approval and Commencement Date: Approved 21 July 2005 and commenced 15 February 2005.

Description of Employees: The agreement applies to all employees employed by Rocla Pty trading as Rocla Products, who are engaged in work at Kurnell, Windsor, Bell, Raymond Terrace and Calga New South Wales who fall within the coverage of the Quarries, &c. (State) Award.

Nominal Term: 24 Months.

EA05/264 - McKey Distribution (Transport Workers) Blacktown Agreement 2005

Made Between: McKey Distribution Pty Limited t/as McKey Distribution -&- the Transport Workers' Union of New South Wales.

New/Variation: Replaces EA02/246.

Approval and Commencement Date: Approved and commenced 8 July 2005.

Description of Employees: The agreement applies to all employees employed by McKey Distribution Pty Limited site at Blacktown, located at 20, Bowmans Road, KINGS PARK NSW 2148, who are performing duties within the scope of the classification structure of the agreement, who fall within the coverage of the F. J. Walker Foods (Transport Workers) Blacktown Consolidated Award 2000.

Nominal Term: 31 Months.

EA05/265 - Northern Region Life Saver Rescue Helicopter Enterprise Agreement No. 3

Made Between: Northern Region SLSA Helicopter Rescue Service Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: Replaces EA01/219.

Approval and Commencement Date: Approved and commenced 17 August 2005.

Description of Employees: The agreement applies to all employees employed by Northern Region SLSA Helicopter Rescue Service Ltd, who are employed on a full-time basis engaged in piloting and crewing of the helicopters and their related routine office, clerical and maintenance specialist duties at the company's base.

Nominal Term: #ERROR#.

EA05/266 - St Vincent's Private Hospital Nurses' Enterprise Agreement 2005

Made Between: St Vincent's Hospital, Lismore -&- the New South Wales Nurses' Association.

New/Variation: Replaces EA04/153.

Approval and Commencement Date: Approved and commenced 4 October 2005.

Description of Employees: The agreement applies to all nursing staff employed by St Vincent's Private Hospital Lismore, located at Dalley Street Lismore NSW 2480, who fall within the coverage of the Private Hospital Industry Nurses' (State) Award; excluding those nursing staff already employed by the employer under public sector conditions but paid as per the Private Hospital Industry Nurses' (State) Award. These employees shall however be bound by the rates of pay and allowances contained in the agreement; nursing staff employed by the employer under public sector conditions and rates of pay; and nursing staff employed by the employer who work at St Joseph's Aged Care Facility, Dalley Street, Lismore NSW 2480.

Nominal Term: 36 Months.

EA05/267 - The Cleary Bros (Bombo) Pty Limited/AMWU Workshop Enterprise Agreement 2004

Made Between: Cleary Bros (Bombo) Pty Limited -&- the Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch.

New/Variation: Replaces EA02/217.

Approval and Commencement Date: Approved and commenced 21 July 2005.

Description of Employees: The agreement applies to all employees employed by Cleary Bros (Bombo) Pty Ltd who are members or eligible to be members of the Automotive, Foods, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, who are employed in accordance with the classification levels in Appendix 1 of the agreement, and are employed as labourers, storepersons, fitters, boilermakers, panel beaters, truck mechanics, field service fitters and leading hands, who fall within the coverage of the Metal, Engineering and and Associated Industries (State) Award.

Nominal Term: 17 Months.

EA05/268 - Paraplegic and Quadriplegic Association of NSW Enterprise Agreement

Made Between: Paraplegic & Quadriplegic Association of NSW -&- Alexandra Adams, Brooke Alford, Joy Alford, Mahenaz Ali, Lynda Arthur, Michelle Atilgan, Kelly Baker, Mitchell Bowd, Karen Brisenden, Katie Brockhurst, Anita Campbell, Alex Carbonetti, Tino Carrieri, Brett Carter, Sam Chakravarthula, Michelle Clifford, Rebecca Cooper, Sandra Cox, Val Earl, Diane Evans, Nickie Flambouras, N ita Freid, Tony Gal, Oguz Guccuk, Diane Harper, Wendy Harris, Tamara Holmes, Janice Huntington, Mary Inkston, Maryanne Ireland, Alan Johnson, Annette Keay, Tibor King, Isabella Kokosi, Tony Lavis, Steven Lord, John Magiropoulos, Scott Mannix, Lynnely Matthews, Julie McLean, Daria Mcintosh, Kerry Meek, Melissa Mooney, Manal Nehme, Noel Noble, Paul O'Grady, Marion O'Hegarty, Tony Patton, Jenny Poole, Gerry Portelli, Natasha Pou, Peter Prior, Allan Reese, Michelle Richards, Gail Richmond, John Spencer, John Trefry, Pamela Vildos, Julie Watson, Kylie Wicks, Greg Wilson, Margaret Wu, Cathy Zahra, Carmelo laquinto.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 22 July 2005.

Description of Employees: The agreement applies to all employees employed by Paraplegic and Quadriplegic Association of NSW t/as ParaQuad, other than the following: employees engaged at Ferguson Lodge, Attendant carers; and Managers, who fall within the coverage of the following awards: Clerical and Administrative Employees (State) Award; Metal, Engineering and Associated Industries (State) Award; Storemen and Packers, General (State) Award; Charitable, Aged and Disability Care Services (State) Award; Nurses, &c., Other than in Hospitals, &c. (State) Award; Social and Community Services Employees (State) Award; Commercial Travellers, &c. (State) Award; Public Hospital (Physiotherapists, Occupational Therapists and Speech Pathologists) (State) Award.

Nominal Term: 24 Months.

EA05/269 - Eraring Energy Enterprise Agreement 2005

Made Between: Australian Institute of Marine and Power Engineers New South Wales District, Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, New South Wales Branch, Construction, Forestry, Mining and Energy Union (New South Wales Branch), Electrical Trades Union of Australia, New South Wales Branch, Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales, Unions NSW -&- Eraring Energy.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 8 September 2005.

Description of Employees: The agreement applies to all employees employed by Eraring Energy, located at Dora Creek NSW 2264, except Senior Executives, who fall within the coverage of the Eraring Energy Employees Consent Award 2004.

Nominal Term: 36 Months.

EA05/270 - Dairy Farmers TWU Enterprise Agreement 2005

Made Between: Australian Co-operative Foods Limited -&- the Transport Workers' Union of New South Wales.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 26 September 2005.

Description of Employees: The agreement applies to all employees employed by Australian Co-operative Foods Ltd t/a Dairy Farmers (excluding Rural Trading employees and employees engaged in Country Stores), and in addition applies to employees engaged in the classifications set out in Appendix A of this agreement, who fall within the coverage of the Milk Treatment, &c. and Distribution (State) Award; and Transport Industry (State) Superannuation Award (No. 2).

Nominal Term: 36 Months.

EA05/271 - Linde Gas Port Kembla Cryogenic Plant Enterprise Agreement 2004

Made Between: Linde Gas Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: New.

Approval and Commencement Date: Approved and commenced 18 November 2004.

Description of Employees: The agreement applies to all employees employed by Linde Gas Pty Limited, employed in the classifications set out in clause 6, who are operating the Cryogenic Plant at the Bluescope Steel Port Kembla Steelworks and the unions party to this agreement, who fall within the coverage of the Metal, Engineering and Associated Industries (State) Award.

Nominal Term: 22 Months.

EA05/272 - Hettich Australia Warehouse Employees Enterprise Agreement 2005-2006

Made Between: Hettich Australia Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: Replaces EA04/6.

Approval and Commencement Date: Approved 24 June 2005 and commenced 1 January 2005.

Description of Employees: The agreement applies to all employees employed by Hettich Australia Pty Ltd located at 1 Herbert Place, Smithfield NSW who are engaged in the classification of stores personnel (receiving, picking, packing and despatching Hettich products for the Smithfield warehouse), who fall within the coverage of the Metal, Engineering and Associated Industries (State) Award.

Nominal Term: 12 Months.

EA05/273 - The Gates Rubber Company (NSW) Pty Limited Enterprise Agreement 2004

Made Between: The Gates Rubber Company (NSW) Pty Ltd -&- the National Union of Workers, New South Wales Branch.

New/Variation: Replaces EA04/141.

Approval and Commencement Date: Approved 17 December 2005 and commenced 1 December 2004.

Description of Employees: The Agreement applies to all employees employed by The Gates Rubber Company (NSW) Pty Ltd located at Lot 14, Norfolk Avenue, South Nowra, NSW 2541 who fall within the coverage of the Rubber Workers (State) Award

Nominal Term: 12 Months.

EA05/274 - Cereform Enterprise Agreement (NSW) 2005

Made Between: Cereform -&- the National Union of Workers, New South Wales Branch.

New/Variation: Replaces EA04/319.

Approval and Commencement Date: Approved 9 September 2005 and commenced 22 July 2005.

Description of Employees: The agreement applies to all employees employed by Cereform, located at 74-76 Redfern Street, Wetherill Park, NSW, 2164, employed in or in connection with the production activities at this sit, whose duties and skills are described by the classification structure set out in Appendix A, who fall within the coverage of the Starch Manufacturers, &c. (State) Award and the Metal, Engineering and Associated Industries (State) Award.

Nominal Term: 24 Months.

EA05/275 - Flexible Packaging/NUW (NSW) - Chester Hill Agreement 2005

Made Between: AEP Industries (Aust) Pty Ltd -&- the National Union of Workers, New South Wales Branch.

New/Variation: Replaces EA04/100.

Approval and Commencement Date: Approved 13 July 2005 and commenced 1 April 2005.

Description of Employees: The agreement applies to all Filmpac Production employees and Site Stores Personnel employed by AEP Industries (Australia) Pty Ltd, located at 149, Orchard Road, Chester Hill 2162, who fall within the coverage of the Rubber Workers (State) Award but shall override the Award to the effect of any inconsistency.

Nominal Term: 24 Months.

EA05/276 - Star Track Express Enterprise Bargaining Agreement

Made Between: Star Track Express -&- the Transport Workers' Union of New South Wales.

New/Variation: Replaces EA04/43.

Approval and Commencement Date: Approved 9 June 2005 and commenced 3 November 2004.

Description of Employees: The agreement applies to all employees employed by Star Track Express Pty Ltd, with respect to its enterprises located at: Unit 3, 1-3 Burrows Rd, St Peters NSW 2044; 51 Sargents Rd, Minchinbury NSW 2770; 32, Sargents Road, Minchinbury NSW 2770; 234 North Street, Albury NSW 2640; 35A Lawson Crescent, Coffs Harbour NSW 2450; 9, Aluminium Close, Edgeworth NSW 2285; Cnr. Leewood Drive & Hawthorn Place, Leewood Industrial Estate, Orange NSW 2880; 1, Acacia Avenue, Port Macquarie NSW; Lot 2, 112 Plain Street, Tamworth NSW 2340; 25, Reliance Drive, Tuggerah Business Park, Tuggerah NSW 2259; 4, Rabaul Place, Wagga Wagga NSW 2650; 29-31 Waverley Drive, Unanderra NSW 2526; and and other facilities in New South Wales established by Star Track Express during the life of the agreement, who fall within the coverage of the Transport Industry (State) Award, who fall within the coverage of the Transport Industry (State) Award.

Nominal Term: 27 Months.

EA05/277 - Vinidex Pty Limited Smithfield Enterprise Agreement 2004

Made Between: Vinidex Pty Limited -&- the National Union of Workers, New South Wales Branch.

New/Variation: Replaces EA04/279.

Approval and Commencement Date: Approved and commenced 9 August 2005.

Description of Employees: The agreement applies to all employees employed by Vinidex Pty Ltd, located at 254 Woodpark Road, Smithfield, NSW 2164, who are not employed as salaried staff, who fall within the coverage of the Rubber Workers (State) Award and Metal, Engineering and Associated Industries (State) Award

Nominal Term: 7 Months.

EA05/278 - Enforce Traffic Control and Australian Workers Union Enterprise Agreement 2005-2006

Made Between: Enforce Group Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: New.

Approval and Commencement Date: Approved and commenced 11 July 2005.

Description of Employees: The agreement applies to all employees employed by Enforce Group Pty Ltd, located at Lot 15, Saltspray Close, Redhead NSW 2290, engaged on, or in connection with traffic control only in NSW, who fall within the coverage of the General Construction and Maintenance , Civil and Mechanical Engineering, &c. (State) Award.

Nominal Term: 16 Months.

EA05/279 - Woollahra Municipal Council Street Cleaning Enterprise Agreement

Made Between: Woollahra Municipal Council -&- the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 16 August 2005.

Description of Employees: The agreement applies to all Street Cleaning employees employed by Woollahra Municipal Council, located at 536, New South Head Road, Double Bay NSW 2028, who fall within the coverage of the Local Government (State) Award 2004.

Nominal Term: 36 Months.

EA05/280 - Concrete Sydney Concrete Truck Drivers 2005-2007 Enterprise Agreement

Made Between: Concrete Pty Limited -&- the Transport Workers' Union of New South Wales.

New/Variation: Replaces EA03/176.

Approval and Commencement Date: Approved 7 June 2005 and commenced 1 January 2005.

Description of Employees: The agreement applies to all employees employed by Concrete Pty Limited, located at Eton Street, Sutherland, NSW 2232, employed at any of the Company's Sydney metropolitan concrete plants, who fall within the coverage of the Transport Industry Mixed Enterprises Interim (State) Award.

Nominal Term: 24 Months.

EA05/281 - Woolstar Pty Limited Wyong Regional Distribution Centre Certified Agreement 2005-2008

Made Between: Woolstar Pty Ltd -&- the National Union of Workers, New South Wales Branch.

New/Variation: New.

Approval and Commencement Date: Approved 13 October 2005 and commenced 1 October 2005.

Description of Employees: The agreement applies to all employees employed by Woolstar Pty Limited, which covers all employees in the classifications prescribed by the agreement, employed to handle, receive, assemble, and dispatch goods or any other tasks in connection with, or incidental to, these functions at the Company's Wyong RDC located at Warren Road, Warnervale, NSW, who fall within the coverage of the Storemen and Packers, General (State) Award.

Nominal Term: 36 Months.

EA05/282 - Electromaster Holdings (NSW) Pty Limited Mechanical Services Enterprise Agreement 2005

Made Between: Electromaster Holdings (NSW) Pty Limited -&- the Electrical Trades Union of Australia, New South Wales Branch.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 26 August 2005.

Description of Employees: The agreement applies to all employees employed by Electromaster Holdings (NSW) Pty Limited, located at 127, Victoria Road, Marrickville NSW 2204, who are engaged upon construction work within the County of Cumberland, who fall within the coverage of the Electrical, Electronic and Communications Contracting Industry (State) Award.

Nominal Term: 2 Months.

EA05/283 - Australian Pavement Maintenance System Enterprise Agreement 2005-2008

Made Between: Australian Pavement Systems Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: New.

Approval and Commencement Date: Approved 23 September 2005 and commenced 26 August 2005.

Description of Employees: The agreement applies to all employees employed by Australian Pavement Systems Pty Ltd, located at Factory 80-82 Barnes Street, Tamworth NSW 2340, who fall within the coverage of the Asphalt and Bitumen Industry (State) Award.

Nominal Term: 36 Months.

EA05/284 - Yates Wyee Enterprise Agreement 2005

Made Between: Yates Australia (A Division of Orica Australia Pty Ltd) -&- the National Union of Workers, New South Wales Branch.

New/Variation: New.

Approval and Commencement Date: Approved 9 September 2005 and commenced 17 January 2005.

Description of Employees: The agreement applies to all employees employed by Yates Australia (a Division of Orica Australia Pty Ltd), located at Wyee Road, Wyee NSW 2259, who fall within the coverage of the Storemen and Packers, General (State) Award.

Nominal Term: 23 Months.

EA05/285 - Reckitt Benckiser (Wetherill Park) Enterprise Agreement 2005-2006

Made Between: Reckitt Benckiser (Wetherill Park) Pty Ltd -&- The Australian Workers' Union, New South Wales .

New/Variation: New.

Approval and Commencement Date: Approved and commenced 25 August 2005.

Description of Employees: The agreement applies to all employees employed by Reckitt Benckiser (Wetherill Park) Pty Ltd, located at 27-33 Frank Street, Wetherill Park NSW 2164, who fall within the coverage of the Soap and Candle Makers (State) Consolidated Award.

Nominal Term: 18 Months.

EA05/286 - Dairy Farmers AMIEU (Newcastle and Northern) Superannuation Salary Sacrifice Variation Agreement 2005

Made Between: Australian Co-operative Foods Limited -&- The Australasian Meat Industry Employees' Union, Newcastle and Northern Branch.

New/Variation: Replaces EA03/124

Approval and Commencement Date: Approved and commenced 5 August 2005.

Description of Employees: The agreement applies to all employees employed by Australian Co-operative Foods Limited, engaged under the Butter & Cheese and Other Dairy Newcastle and Northern) Award at the Company's sites at Hexham and Comboyne (excluding all Hexham Distribution employees, Rural Trading employees and employees engaged in Country Stores.

Nominal Term: 3 Months.

EA05/287 - Child Care Enterprise Agreement 2005 - UTS Child Care, Inc, University of Technology Sydney

Made Between: UTS Child Care Inc -&- the Liquor, Hospitality and Miscellaneous Union, New South Wales Branch, New South Wales Independent Education Union.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 18 July 2005.

Description of Employees: The agreement applies to all employees employed by The Management Committee, UTS Child Care Inc., Broadway, located at Kids Campus Children's Centre, Eton Rd, Lindfield, Magic Pudding Children's Centre, McKee St, Ultimo, Blackfriars Children's Centre, Buckland St. Chippendale, the University of Technology, Sydney, who fall within the coverage of the following awards: Teachers (Non-Government Early Childhood Service Centres Other Than Pre-Schools) (State) Award 2002, Miscellaneous Workers' - Kindergartens and Child Care Centres, &c. (State) Award, Nurses, &c. Other than in Hospitals, &c. (State) Award, Clerical and Administrative Employees (State) Award.

Nominal Term: 36 Months.

EA05/288 - North Coast Radiology/Clarence Valley Imaging (NCR/CVI) Staff Enterprise Agreement 2005-2007

Made Between: Llesilver Pty Ltd trading as North Coast Radiology -&- the New South Wales Nurses' Association.

New/Variation: New.

Approval and Commencement Date: Approved and commenced 27 June 2005.

Description of Employees: The agreement applies to all employees employed by Llesilver Pty Ltd t/a North Coast Radiology , located at 16 Keen Street, Lismore NSW 2480, and North Coast Radiology/Clarence Valley Imaging (NCR/CVI); and employees of North Coast Radiology/Clarence Valley Imaging (NCR/CVI) for whom classifications and rates of pay are prescribed by the agreement, who fall within the coverage of the following awards: Private Medical Imaging (State) Award 2004, and Nurses, &c., Other Than in Hospitals, &c. (State) Award.

Nominal Term: 30 Months.

Printed by the authority of the Industrial Registrar.

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**CONTRACT AGREEMENTS APPROVED BY THE INDUSTRIAL
RELATIONS COMMISSION**

(Published pursuant to s.331(2) of the *Industrial Relations Act 1996*)

CA05/06 - Collex Pty Ltd Enfield Carriers Agreement 2005

Made Between: Collex Pty Ltd -&- the Transport Workers' Union of New South Wales.

New/Variation: New.

Approval and Commencement Date: Approved 9 September 2005 and commenced 31 December 2004.

Description of Employees: The contract agreement applies to all Carriers engaged by Collex Pty Ltd, located at 15-17 Water Street, Enfield, NSW 2213, in the Solid Commercial Waste Division currently at Enfield and other such locations, it may locate who provide transport and cartage services for the collection and removal of waste.

Nominal Term: 36 Months.

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