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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s.23 application for award or variation of award

Tasmanian Trades and Labor Council
(T7702 of 1998)

Private and public sector awards

FULL BENCH:

PRESIDENT F D WESTWOOD
DEPUTY PRESIDENT B R JOHNSON
COMMISSIONER R J WATLING

Wage Rates - State Wage Case July 1998 - application to review the Wage Fixing Principles and to vary awards in a manner consistent with the Australian Industrial Relations Commission decision in Print number Q 1998 Safety Net Review - Wages - Agreed Settlement - Two-stage Arbitrated Safety Net Adjustment - ffpp on or after 14 July 1998 and ffpp on or after 14 October 1998 - Revised Wage Fixing Principles - Approved

CLEANING AND PROPERTY SERVICES AWARD

ORDER BY CONSENT -

No. 1 of 1998

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AMEND THE **CLEANING AND PROPERTY SERVICES AWARD** IN THE FOLLOWING MANNER:

1. By deleting Clause 8 - Wage Rates, and inserting in lieu thereof the following:

"8. WAGE RATES

(a) An adult employee's weekly rate is inclusive of the base rate of pay set out hereunder.

(i) Operative from the first full pay period to commence on or after 14 July 1998:

	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
Property Service Employee			
Grade I	364.60	44.00	408.60
Grade 2	385.50	44.00	429.50
Grade 3	417.20	44.00	461.20

(ii) Operative from the first full pay period to commence on or after 14 October 1998:

	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
Property Service Employee			
Grade I	364.60	48.00	412.60
Grade 2	385.50	48.00	433.50
Grade 3	417.20	48.00	465.20

(b) Classifications

For the purposes of subclause (a) hereof, an employee shall be assigned to the appropriate classification provided they are appointed by the employer to perform tasks and duties and undertake responsibilities within the scope of the indicative tasks and duties and responsibilities and the definition of that classification grade and the employee has competency in the necessary skills to perform those tasks and duties at the standard required.

The classification grades are defined as follows:

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Property Service Employee Grade I

(i) Point of Entry

New employee

(ii) Description

Means an employee who performs generic cleaning tasks to restore or maintain premises by the removal of soiling and waste to a clean condition, provided that a Property Service Employee Grade I shall also mean a person who is employed by a Contractor in a private residence and/or establishment, to perform work of a hygienic nature including but not limited to cleaning and washing and in addition includes an employee engaged to perform basic office duties indicative of their grade.

(iii) Tasks, Duties and Responsibilities

Indicative of the tasks, duties and responsibilities which an employee at this level may perform are the following:

- Cleaning
- General/hygiene/domestic/industrial/commercial/Retail etc
- Refuse removal
- Use of chemicals
- Locking doors and windows for access and egress to ensure the building is secure
- Transportation
- Basic keyboard record keeping and receptionist duties

(iv) Induction Programme

An employee at this level shall undertake an internal induction programme which may include information on the enterprise, conditions of employment, introduction to other workers, training and career path opportunities, occupational health and safety, quality control, work and documentation procedures, personal presentation and use and care of machinery and/or equipment.

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(v) Promotional Criteria

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level as a position becomes available.

Property Service Employee Grade II

(i) Point of Entry

- Property Service Employee Grade I
- Completion of required training module

(ii) Description

Means an employee who utilises the skills of Property Service Employee Grade I and who in addition regularly utilises cleaning skills and methods that are of a specialist nature.

(iii) Tasks, Duties and Responsibilities

In addition to the tasks of Property Service Employee Grade I the indicative tasks, duties and responsibilities which an employee at this level may perform are the following:

- Client liaison/public relations eg. minor quoting
- Ordering and receiving of supplies and materials
- Specialised carpet cleaning
- Steam and pressure cleaning
- Window cleaning from a suspended apparatus
- Basic maintenance
- Securing premises as part of the task
- Intermediate keyboard skills and performs administrative/secretarial duties

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(iv) Promotional Criteria

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level as a position becomes available.

Property Service Employee Grade III

(i) Point of Entry

- Property Service Employee Grade II
- Completion of required training module

(ii) Description

Means an employee who utilises the skills of Property Service Employee Grade II and in addition is a principal supervisor responsible for employees at Property Service Employee Grades I and II levels and/or generally superintends property including property maintenance and quality control.

(iii) Tasks, Duties and Responsibilities

In addition to the tasks of Property Service Employee Grade II the indicative tasks, duties and responsibilities which an employee at this level may perform are the following:

- Implementing and overseeing quality control techniques and procedures
- Use of a well developed level of inter-personal and communicative skills
- Supervises, directs and guides other employees and assists in the provision of training and induction
- Exercises discretion within the scope of this grade
- Liaison with management, staff and clients
- Administrative and clerical duties required to undertake the tasks and duties of this level
- Duties requiring certified trade skills
- Co-ordination of other employees
- Detailed contract estimating
- Subject to management direction processes pay-roll reconciliation, completes profit and loss accounts and other general accounting duties
- Advanced keyboard duties incidental to other administrative tasks

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(c) Leading Hands

An employee engaged as a Property Service Employee Grade I or II who is appointed by the employer as a leading hand shall be paid per week the following applicable allowance in addition to the classification rate:

	Amount Per Week
	\$
In charge of 5 or less employees	12.40
In charge of 6 to 10 employees	15.90
In charge of more than 10 employees	21.20

PROVIDED that an employee engaged as a Property Service Employee Grade III shall not be entitled to receive a leading hand allowance.

(d) Supported Wage System

(i) Eligibility Criteria

Subject to this subclause an employer may engage employees at a supported wage rate (as set out in paragraph (iii) of this subclause) who meet the impairment criteria for receipt of a Disability Support Pension and who, because of their disability, are unable to perform the range of duties to the competence level normally required for the class of work for which they are engaged.

PROVIDED that this subclause does not apply to any existing employee who has a claim against the employer which is subject to the provisions of workers' compensation legislation or any provision of this award relating to the rehabilitation of employees who are injured in the course of their current employment.

PROVIDED FURTHER that this subclause does not apply to employers in respect of their facility, programme, undertaking, service or the like which receives funding under the *Disability Services Act 1986* and fulfils the dual role of service provider and sheltered employer to people with disabilities who are in receipt of or are eligible for a disability support pension, except with respect to an organisation which has received recognition under Section 10 or under Section 12A of the above Act, or if a part only has received recognition, that part.

(ii) For the purposes of this subclause:

'Accredited Assessor' means a person accredited by the management unit established by the Commonwealth under the Supported Wage System to perform assessments of an individual's productive capacity within the Supported Wage System.

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'Assessment instrument' means the form provided for under the Supported Wage System that records the assessment of the productive capacity of the person to be employed under the Supported Wage System.

'Disability Support Pension' means the pension available under the Commonwealth pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991*, as amended from time to time, or any successor to that scheme.

'Supported Wage System' means the Commonwealth Government System to promote employment for people who cannot work at full award wages because of a disability.

(iii) Supported Wage Rates

Employees to whom this subclause applies shall be paid the applicable 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 (paragraph (iv))	% 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 \$45 per week.

(iv) Assessment of Capacity

For the purpose of establishing the percentage of the award rate to be paid to a supported wage employee under this award, the productive capacity of the employee will be assessed in accordance with the Supported Wage System and documented in an assessment instrument by either:

- (1) the employer and a union party to the award, in consultation with the employee or, if desired by any of these;
- (2) the employer and an accredited Assessor from a panel agreed by the parties to the award and the employee.

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(v) Lodgment of Assessment Instrument

- (1) All assessment instruments under the conditions of this subclause, including the appropriate percentage of the award wage to be paid to the employee, shall be lodged by the employer with the Registrar of the Tasmanian Industrial Commission.
- (2) All assessment instruments shall be agreed and signed by the parties to the assessment, provided that where a union which is party to the award, is not a party to the assessment, it shall be referred by the Registrar of the Tasmanian Industrial Commission to the union by certified mail and shall take effect unless an objection is notified to the Registrar of the Tasmanian Industrial Commission within 10 working days.

(vi) Review of Assessment

The assessment of the applicable percentage shall be subject to annual review or earlier on the basis of a reasonable request for such a review. The process of review shall be in accordance with the procedures for assessing capacity under the Supported Wage System.

(vii) Other Terms and Conditions of Employment

Where an assessment has been made, the applicable percentage shall apply to the wage rate only. Employees covered by the supported wage provisions of this subclause shall be entitled to the same terms and conditions of employment as all other workers covered by this award who are paid on a pro rata basis.

(viii) Workplace Adjustment

An employer wishing to employ a person under the provisions of this subclause shall take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve re-design of job duties, working time arrangements and work organisation in consultation with other workers in the area.

(ix) Trial Period

- (1) In order for an adequate assessment of the employee's capacity to be made, an employer may employ a person under the provisions of this subclause for a trial period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding four weeks) may be needed.
- (2) During that trial period the assessment of capacity shall be undertaken and the proposed wage rate for a continuing employment relationship shall be determined in accordance with paragraphs (iv) and (v).

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- (3) The minimum amount payable to the employee during the trial period shall be no less than \$45 per week or such greater amount as is agreed from time to time between the parties.
- (4) Work trials should include induction or training as appropriate to the job being trialed.
- (5) Where the employer and employee wish to establish a continuing employment relationship following the completion of the trial period, a further contract of employment shall be entered into based on the outcome of assessment under paragraph (iii) hereof."

2. By deleting Clause 14 - First Aid, and inserting in lieu thereof the following:

"14. FIRST AID

Where an employee is a qualified first aid attendant and is authorised to carry out the duties of a qualified first aid attendant, the employee shall be paid an additional amount, payable at the rate of \$5.90 per week of 38 hours."

Operative Date

This Order shall come into operation from the first full pay period to commence on or after 14 July 1998.

B R Johnson
DEPUTY PRESIDENT

18 August 1998