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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

AUTOMOTIVE INDUSTRIES AWARD

CORRECTION ORDER

THE COMMISSION, pursuant to Section 19(2)(a) of the *Act*, hereby corrects Order No. 1 of 2002 (T10230 of 2002), and Order No. 1 of 2003 (Consolidated) (T10887 of 2003), for the making of the current award by deleting from Part III - Clause 1 Wage Rates and inserting in lieu thereof the following:

"1. WAGE RATES

(a) Adults

Adult employees shall be paid in accordance with the following classification structure which shall be read in conjunction with the classification definitions contained in Part III – Wage Rates and Related Matters, Clause 3 – Classification Structure and Implementation.

Wage Group Level	Base Rate Relativity %	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
Level 1 Automotive Industry - Repair, Services and Retail Employee Grade 1	78	325.40	123.00	448.40
Level 2 Automotive Industry - Repair, Services and Retail Employee Grade 2	82	342.10	123.00	465.10
Level 3 Automotive Industry - Repair, Services and Retail Employee Grade 3 Clerical Assistant/Adult Entry Point	87.4	364.60	123.00	487.60

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Level 4 Automotive Industry - Repair, Services and Retail Employee Grade 4 Clerical Assistant Grade 1	92.4	385.50	123.00	508.50
Level 5 Automotive Industry - Repair, Services and Retail Employee Grade 5 Clerical Officer Grade 2	96.2	401.30	123.00	524.30
Level 6 Automotive Industry - Repair, Services and Retail Employee Tradesperson or Equivalent Grade 1 Clerical Officer Grade 3	100	417.20	125.00	542.20
Level 7 - Automotive Industry - Repair, Services and Retail Employee Tradesperson or Equivalent Grade 2 Clerical Officer Grade 4	108	450.60	125.00	575.60
Level 8 Automotive Industry - Repair, Services and Retail Employee Tradesperson or Equivalent Grade 3 Clerical Officer Grade 5	115	479.80	123.00	602.80

(b) Tool Allowance

All employees that are engaged in classifications that are proclaimed as trades under the *Vocational Education and Training Act 1994*, shall either be supplied with all tools by the employer or be paid a tool allowance of not less than \$9.00 per week.

PROVIDED that such allowance shall not be the subject of adjustment when computing payments for shift penalty rates for weekend or holiday work for overtime or for any other purpose.

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(c) Leading Hands

In charge of 2 employees - \$15.60 per week extra;

In charge of not less than 3 employees and not more than 10 employees - \$21.50 per week extra;

In charge of not less than 10 employees and not more than 20 employees - \$32.10 per week extra;

In charge of more than 20 employees - \$41.10 per week extra.

(d) Junior Employees other than Apprentices

(i) The minimum weekly wage rate for a junior employed in the tasks set out below, shall be the undermentioned percentages of the Weekly Wage Rate, Automotive Industry - Repair, Services and Retail Employee, Level 3:

Age	%
16 years of age and under	45
17 years of age	55
18 years of age	70
19 years of age	80
20 years of age	90

Clerical Employee
Counter Salesperson
Driver of a mobile crane
Driver of a motor vehicle and/or towing vehicle.

(ii) The minimum weekly wage rate for a junior employed in all other tasks shall be the undermentioned percentages of the Weekly Wage Rate, Automotive Industry - Repair, Services and Retail Employee, Level 1:

Age	%
16 years of age and under	45
17 years of age	50
18 years of age	62.5
19 years of age	75
20 years of age	87.5

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(e) Minimum Wage

(i) Minimum Wage

No employee shall be paid less than the minimum wage.

(ii) Amount of Adult Minimum Wage

(1) The minimum wage for full-time adult employees not covered by Part III – Wage Rates and Related Matters, Clause 2 - Supported Wage System is \$448.40 per week.

(2) Adults employed under a supported wage system clause shall continue to be entitled to receive the wage rate determined under that clause. Provided that such employees shall not be paid less than the amount determined by applying the percentage in the supported wage system clause applicable to the employee concerned to the amount of the minimum wage specified in subclause (ii)(1).

(3) Adults employed as part-time or casual employees shall continue to be entitled to receive the wage rate determined under the casual and part-time clauses of the award. Provided that such employees shall not be paid less than pro rata the minimum wage specified in subclause (ii)(1) according to the number of hours worked.

(iii) How the Minimum Wage Applies to Juniors

(1) The wage rates provided for juniors by this award continue to apply unless the amount determined under subclause (iii)(2) is greater.

(2) The minimum wage for an employee to whom a junior rate of pay applies is determined by applying the percentage in the junior wage rates clause applicable to the employee concerned to the relevant amount in subclause (ii)(1).

(iv) Application of Minimum Wage to Certain Employees

Due to existing applicable award wage rates being greater than the relevant proportionate minimum wage, this clause will not apply to employees falling within the scope of the National Training Wage (Tasmanian Private Sector) Award and Trainees undertaking an apprenticeship.

(v) Application of Minimum Wage to Award Rates Calculation

The minimum wage:

(1) applies to all work in ordinary hours;

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- (2) applies to the calculation of overtime and all other penalty rates, superannuation, payments during sick leave, long service leave and annual leave, and for all other purposes of this award; and
- (3) is inclusive of the arbitrated safety net adjustment provided by the July 2003 State Wage Case Decision (T.10887 of 2003) and all previous safety net and state wage case adjustments.

(f) Apprenticeship

Junior Employees shall not be employed in the following occupations otherwise than under a contract of apprenticeship (as defined) as hereinafter provided:

- Automotive Electrician
- Automotive Machining
- Body Making
- Motor Cycle & Small Engine Mechanic
- Motor Mechanic
- Panel Beating
- Springsmithing
- Trimming
- Vehicle Painting
- Diesel Mechanic

Probationary Period

Junior Employees may be taken on probation for three months and, if apprenticed, such three months shall count as part of their period of apprenticeship. An employer shall, within 14 days of employing a probationer, notify the Tasmanian State Training Authority of the employment of such probationer in any of the trades mentioned.

Wages

The minimum weekly wage rate to be paid by employers to apprentices and other junior workers not elsewhere provided shall be the undermentioned percentages of Automotive Industry - Repair, Services and Retail Employee Tradesperson Level I:

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

The said minimum weekly wage rates shall be calculated to the nearest 10 cents, any fraction of 10 cents not exceeding 5 cents to be disregarded.

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Payment by Results

An apprentice shall not work under any system of payment by results.

The employer shall be responsible for reimbursement of fees and levies paid by an apprentice as an integral part of the training of that apprentice provided:

- (i) the apprentice produces receipts as proof of payment of such fees or levies;
- (ii) the apprentice produces a report from TAFE which demonstrates a good attendance record, good conduct and a satisfactory performance result.

Such reimbursement shall occur at the successful conclusion of each year of apprenticeship.

(g) Adult Apprentice

(i) Definition

For the purposes of this award an adult apprentice means a person 21 years of age or over at the time of entering into an indenture to one of the trades specified in Part III – Wage Rates and Related Matters, Clause 1 - Wage Rates of this award.

(ii) Wage Rate

- (1) Where a person was employed by an employer in the automotive industry immediately prior to becoming an adult apprentice with that employer, such person shall not suffer a reduction in the rate of pay by virtue of becoming indentured. For the purpose only of fixing a rate of pay the adult apprentice shall continue to receive the rate of pay that is from time to time applicable to the classification or class of work specified in Part III – Wage Rates and Related Matters, Clause 1 - Wage Rates of the award and in which the adult apprentice was engaged immediately prior to entering into the contract of indenture.
- (2) Subject to paragraph (i) hereof the rate of an adult apprentice shall be the minimum weekly wage rate prescribed in Part III – Wage Rates and Related Matters, Clause 1 - Wage Rates or the rate prescribed by the appropriate subclause for the relevant year of apprenticeship whichever is the greater.

(iii) Preference

- (1) Preference of employment as an adult apprentice should be given to an applicant who is currently employed by the employer so as to provide for genuine career path development.

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(2) Adult apprentices shall not be employed at the expense of other apprentices.

(iv) Review

Parties to the award agree that a jointly conducted comprehensive review of the effectiveness of adult apprenticeships shall be undertaken to determine whether or not adult apprenticeships should continue in their existing form. One issue to be considered is the age at which persons will be regarded as adult apprentices."

P L Leary
PRESIDENT

11 August 2003