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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s.23 application to vary an award

Shop Distributive and Allied Employees' Association
Tasmanian Branch
(T.4845 of 1994)

Australian Municipal, Administrative, Clerical and Services Union
(T.4912 of 1994)

RETAIL TRADES AWARD

PRESIDENT F. D. WESTWOOD

Wage Rates - State Wage Case December 1993 - Arbitrated Safety Net Adjustment

ORDER - No. 2 of 1994

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AMEND THE **RETAIL TRADES AWARD** IN THE FOLLOWING MANNER:

Delete Clause 8 - Wage Rates - and insert in lieu thereof the following:

"**8. WAGE RATES**

(a) Adults

(i) Adult employees of a grade hereunder mentioned shall be paid the amount assigned opposite that grade.

Retail Employee	Base Rate Relativity %	Base Rate $	Supplementary Payment (A)$	(B)$	Weekly Wage Rate $
Grade 1	85	310.40	44.20	8.00	362.60
Grade 2	92.1	336.30	47.80	8.00	392.10
Grade 3A*	95	346.90	49.40	8.00	404.30
Grade 3B	96	350.60	49.90	8.00	408.50
Grade 4	100	365.20	52.00	8.00	425.20
Grade 5	105	383.50	54.60	8.00	446.10
Grade 6	110	401.70	57.20	8.00	466.90
Grade 7	- See rates applicable as per Clerical and Administrative Employees (Private Sector) Award.				

* The relativity for Grade 3A will be adjusted in accordance with the following schedule:

	%
01/06/94	96

(ii) Supplementary Payment

The amounts appearing in the column headed Supplementary Payment (A) and (B) contained in paragraph (i) of this subclause are absorbable against any overaward payment being paid by an employer as from the beginning of the first full pay period commencing on or after 22 February 1994. Column (B) results from the application of the Arbitrated Safety Net Adjustment Principle as determined in the State Wage Case Decision of 24 December 1993, from the beginning of the first full pay period commencing on or after 22 February 1994.

(b) Juniors

The minimum rates that may be paid to junior employees shall be the undermentioned percentages of the rate prescribed for a Retail Employee Grade 2.

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	%	Weekly Wage Rate $
Under 17 years of age	50	196.10
17 to 18 years of age	54.5	213.70
18 to 19 years of age	67.5	264.70
19 to 20 years of age	79.5	311.70
20 to 21 years of age	83	325.40

PROVIDED that the relevant percentage of the $8.00 Arbitrated Safety Net Adjustment as determined in the State Wage Case Decision of 24 December 1993 is absorbable against any overaward payment being paid by the employer as from the beginning of the first full pay period to commence on or after 22 February 1994.

(c) Transport Workers

Wage rates for employees engaged in transport classifications shall be as prescribed in Clause 8 - Wage Rates - of the Transport Workers General Award.

(d) Nightfill Employees

All employees employed to work "Nightfill" (as defined) shall receive a "Nightfill loading". This loading shall be 25% and applied to all hours worked.

(e) Floristry Apprentice

The minimum ordinary rate of payment for floristry apprentices shall be the undermentioned percentage of the rate for a Retail Employee Grade 3B.

	%	Weekly Wage Rate $
First Year	42	171.60
Second Year	55	224.70
Third Year	75	306.40
Fourth Year	88	359.50

PROVIDED that the relevant percentage of the $8.00 Arbitrated Safety Net Adjustment as determined in the State Wage Case Decision of 24 December 1993 is absorbable against any overaward payment being paid by the employer as from the beginning of the first full pay period to commence on or after 10 February 1994.

(f) Trainees (ATS)

The weekly wages payablivto Trainees (ATS) shall be determined by multiplying the appropriate junior rate as specified in subclause (b) hereof by 39 (which represents the actual number of weeks spent on the job) and dividing that sum by 52.

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The wage rate determined by this calculation shall in no case be less than the minimum rate prescribed by the Australian Traineeship System Guidelines.

This figure is adjusted in accordance with State Wage Case decisions.

(g) Trainees (CST) Sales Assistants or Clerks

(i) The weekly wage payable to a Trainee (CST) - Sales Assistant or Clerk, shall be calculated by:

(1) determining the hourly rate applicable to the relevant age as prescribed in the Retail Trades Award or a legally registered Industrial Agreement.

(2) multiplying that hourly rate by the number of weekly ordinary hours, less the average weekly time specified in the training agreement to be spent in structured off-the-job training.

(ii) The hourly rate of pay for the purpose of calculation of overtime or shift penalties is the hourly rate applicable to the relevant age as prescribed in the award.

Provided that trainee rates shall be calculated in multiples of ten cents with any result of five cents or more being taken to the next highest ten cent multiple.

(iii) The terms of this subclause applying to Career Start Traineeships operate in conjunction with a Commonwealth Government Scheme, under which, if weekly wages calculated using the method outlined above fall below $125.00 for those under 18 years old and $150.00 for those 18 years and over or any revised amount, the Commonwealth will provide a supplementary allowance to bring the total income of Trainees undertaking Career Start Traineeships up to those levels.

In the event that the Commonwealth Government reduces these minimum income maintenance levels, the terms of the award will be revised.

(h) Additional Rates

Window-dressers or show card writers (as defined) shall receive 5% in addition to the total rate of pay applicable to their age or grade.

(i) Tool Allowance

All employees engaged in classifications that are proclaimed as trades under the Industrial and Commercial Training Act 1985 shall either be supplied with all tools by the employer or paid a tool allowance of not less than $8.50 per week.

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

(j) Translation

Employees who are employed as at 1 July, 1992 shall translate to the new structure in accordance with the procedures set out in schedule 1 to this award.

(k) Advice of Grading and Settlement of Disputes

(i) All current and future employees shall be notified in writing by the employer of their grading within one month of this award coming into operation or the date of engagement as the case may be.

(ii) In the event of a dispute regarding grading, the matter shall be discussed by the employer involved or his representative and the relevant union in an attempt to resolve the matter, and if then still in dispute, shall be referred to the President of the Tasmanian Industrial Commission for determination.

(iii) In respect of clerical and administrative employees Grade 4 and above, guidance may, where appropriate, be sought from the definitions at the equivalent relativity contained in the Clerical and Administrative Employees (Private Sector) Award."

DATE OF OPERATION

The foregoing variation shall come into operation and have effect as from the first full pay period commencing on or after 22 February 1994.

F. D. Westwood
PRESIDENT

22 February 1994