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## **TASMANIAN INDUSTRIAL COMMISSION**

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

**Tasmanian Trades and Labor Council**  
(T8413 of 1999)

**Private Sector Awards**

**Tasmanian Chamber of Commerce and Industry Limited**  
(T8483 of 1999)

**Private and Public Sector Awards**

FULL BENCH:  
DEPUTY PRESIDENT B R JOHNSON  
COMMISSIONER R J WATLING  
COMMISSIONER P A IMLACH

Wage Rates - State Wage Case July 1999 - applications to review the Wage Fixing Principles and to vary awards in a manner consistent with the Australian Industrial Relations Commission decision in Print number R1999 Safety Net Review - Wages - flow-on of federal safety net adjustment approved - operative date ffpp 1 August 1999 - partial revision of Wage Fixing Principles - full review of Wage Fixing Principles to begin no later than October 1999

## **HOSPITALS AWARD**

**ORDER -**

**No. 2 of 1999**

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THE **HOSPITALS AWARD** IS VARIED IN THE FOLLOWING MANNER:

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

**"8. WAGE RATES**

**A. ADMINISTRATIVE AND CLERICAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

**FULL-TIME EMPLOYEES**

	Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1			
1st year of service	16493	3120	19613
2nd year of service	17671	3120	20791
3rd year of service	18849	3120	21969
4th year of service & thereafter	20027	3120	23147
Level 2			
1st year of service	21205	3120	24325
2nd year of service	22383	3120	25503
3rd year of service & thereafter	23561	3120	26681
Level 3			
1st year of service	24739	3016	27755
2nd year of service	25328	3016	28344
3rd year of service	25917	3016	28933
4th year of service	26506	3016	29522
5th year of service & thereafter	27095	2912	30007
Level 4			
1st year of service	28273	2912	31185
2nd year of service	28862	2912	31774
3rd year of service	29452	2912	32364
4th year of service	30040	2912	32952
5th year of service & thereafter	30620	2912	33532
Level 5			
1st year of service	31808	2912	34720
2nd year of service	32397	2912	35309
3rd year of service & thereafter	32986	2912	35898

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Level 6			
1st year of service	34164	2912	37076
2nd year of service	34753	2808	37561
3rd year of service & thereafter	35342	2808	38150
Level 7			
1st year of service	36520	2808	39328
2nd year of service	37698	2808	40506
3rd year of service & thereafter	38876	2808	41684
Level 8			
1st year of service	41232	2808	44040
2nd year of service	42410	2808	45218
3rd year of service & thereafter	43588	2808	46396
Level 9			
1st year of service	45940	2808	48748
2nd year of service & thereafter	47122	2808	49930
Level 10	49478	2808	52286
Level 11	51835	2808	54643
Level 12	55369	2808	58177

#### **B. PROFESSIONAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

	Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1			
1st year of service	25917	3016	28933
2nd year of service	27684	2912	30596
3rd year of service	29451	2912	32363
4th year of service	31218	2912	34130
5th year of service	32985	2912	35897
6th year of service	34752	2808	37560
7th year of service	36520	2808	39328
8th year of service & thereafter	38287	2808	41095
Level 2			
1st year of service	40054	2808	42862
2nd year of service	41821	2808	44629
3rd year of service & thereafter	43588	2808	46396

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Level 3			
1st year of service	45944	2808	48752
2nd year of service	48300	2808	51108
3rd year of service & thereafter	49478	2808	52286
Level 4			
1st year of service	51834	2808	54642
2nd year of service	53601	2808	56409
3rd year of service & thereafter	55369	2808	58177
Level 5	60081	2808	62889

### **C. TECHNICAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

	Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1			
1st year of service	20616	3120	23736
2nd year of service	21205	3120	24325
3rd year of service	21794	3120	24914
4th year of service	22383	3120	25503
5th year of service & thereafter	23561	3120	26681
Level 2			
1st year of service	24739	3016	27755
2nd year of service	25917	3016	28933
3rd year of service	27095	2912	30007
4th year of service	28273	2912	31185
5th year of service & thereafter	29452	2912	32364
Level 3			
1st year of service	30620	2912	33532
2nd year of service	31808	2912	34720
3rd year of service	32986	2912	35898
Level 4			
1st year of service	34164	2912	37076
2nd year of service	35342	2808	38150
3rd year of service & thereafter	36520	2808	39328
Level 5	40054	2808	42862
Level 6	42410	2808	45218

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#### **D. OPERATIONAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

	Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1			
1st 3 months of service	17671	3120	20791
After first 3 months and for next 12 months	18378	3120	21498
Level 2			
1st year of service	18407	3120	21527
2nd year of service	18851	3120	21971
3rd year of service & thereafter	19283	3120	22403
Level 3			
1st year of service	19509	3120	22629
2nd year of service	19784	3120	22904
3rd year of service & thereafter	20179	3120	23299
Level 4			
1st year of service	20586	3120	23706
2nd year of service	20986	3120	24106
3rd year of service & thereafter	21294	3120	24414
Level 5			
1st year of service	21585	3120	24705
2nd year of service	21882	3120	25002
3rd year of service & thereafter	22354	3120	25474
Level 6			
1st year of service	23561	3120	26681
2nd year of service & thereafter	23981	3120	27101
Level 7			
1st year of service & thereafter	24739	3016	27755
Level 8			
1st year of service & thereafter	27095	2912	30007
Level 9			
1st year of service & thereafter	29452	2912	32364
Level 10			
1st year of service	31808	2912	34720

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**E. MEAL CHARGES**

The maximum amount that shall be charged or deducted where an employee receives a meal from his/her employer shall be:

Lunch or Evening Meal	Rate per Meal
Two or three courses	\$2.90
Single hot or cold main course	\$2.30
Single (other) course i.e. soup or sweet	\$2.10
All breakfasts	\$2.10

**PROVIDED** that:

- (i) A minimum charge of \$2.10 applies for each meal taken.
- (ii) In each case where a one, two or three course meal is ordered and charged for as above, no extra charge is to be levied for either beverages, toast, bread, butter or condiments.

**F. TOOL ALLOWANCE**

In addition to the wage rates prescribed in this clause the undermentioned classifications shall be paid the following tool allowance per week:

	\$
Carpenter	7.60
Painter	6.20
Fitter	6.20
Electrical Mechanic	6.20

**PROVIDED** that:

- (i) the employer shall provide a person employed as either an electrical mechanic or maintenance fitter with all hand, power or special tools necessary for the proper performance of such employee's duties.
- (ii) where an employer does not supply either an electrical mechanic or maintenance fitter with hand tools or where an employee is required to provide his own tools for use in the service of his/her employer he shall be paid a tool allowance in accordance with the above rates.

**G. REMOTE CALL ALLOWANCE**

The amount to be paid under the conditions prescribed in Clause 40 - Remote Call is 89.35 cents per hour operative from the first full pay period to commence on or after 1 August 1999.

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## **H. SUPPORTED WAGE SYSTEM**

### (a) Eligibility Criteria

Subject to this subclause an employer may engage employees at a supported wage rate (as set out in paragraph (c) 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.

### (b) 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.

**'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.

### (c) 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:

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Assessed Capacity (paragraph (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 \$45 per week.

(d) 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:

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

(e) Lodgment of Assessment Instrument

- (i) 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.
- (ii) 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.

(f) 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.

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(g) 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.

(h) 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.

(i) Trial Period

- (i) 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.
- (ii) 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 (d) and (e).
- (iii) 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.
- (iv) Work trials should include induction or training as appropriate to the job being trialed.
- (v) 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 (c) hereof.

**LEAVE RESERVED**

Training Rates"

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**2. By deleting Clause 22 - Employee Handling Cash, and inserting in lieu thereof the following:**

**"22. EMPLOYEE HANDLING CASH**

An employee other than a person classified as a senior clerk or executive staff who in the performance of his/her duties is required to handle cash shall receive a cash handling allowance based on the following criteria:

exceeding \$20 per week, but not exceeding \$100 per week - 50 cents per week;

exceeding \$100 per week, but not exceeding \$200 per week - \$1.00 per week;

exceeding \$200 per week, but not exceeding \$600 per week - \$1.80 per week;

exceeding \$600 per week, but not exceeding \$1000 per week - \$2.80 per week;

exceeding \$1000 per week - \$3.70 per week.

**PROVIDED** that this allowance shall not apply where an employee is not held personally responsible for making good any cash shortages."

**Operative Date**

These variations shall come into operation from the first full pay period to commence on or after 1 August 1999.

B R Johnson  
**DEPUTY PRESIDENT**

30 July 1999