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**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984  
s23 application for award or variation of award

**Tasmanian Chamber of Commerce and Industry Limited**  
(T8963 of 2000)

Australian Cement Holdings Enterprise Award  
Broadcasting and Television Award  
Butter and Cheesemakers Award  
Civil Construction and Maintenance Award  
Clerical and Administrative Employees (Private Sector) Award  
Dairy Processing Award  
Estate Agents Award  
Farming and Fruit Growing Award  
Fibreglass and Plastics Award  
Fish Aquaculture and Marine Products Award  
Fuel Merchants Award  
Furnishing Trades Award  
Horticulturists Award  
Hotels, Resorts, Hospitality and Motels Award  
Independent Schools (Non-Teaching Staff) Award  
Insurance Award  
Licensed Clubs Award  
Marine Boards Award  
Meat Processing Industry Award  
Medical Diagnostic Services (Private Sector) Award  
Medical Practitioners (Private Sector) Award  
Miscellaneous Workers Award  
Nursing Homes Award  
Optical Industries Award  
Photographic Industry Award  
Plant Nurseries Award  
Printers Award  
Produce Award  
Public Accountants Award  
Public Vehicles Award  
Restaurant Keepers Award  
Retail Trades Award  
Rubber Trades Award  
Shellfish Industry Award  
Textile Award  
Timber Merchants Award  
Totalizator Agency Award  
Wholesale Pharmaceutical Award  
Wholesale Trades Award

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FULL BENCH:  
DEPUTY PRESIDENT R J WATLING  
COMMISSIONER T J ABEY  
COMMISSIONER A W PEARCE

Award variation - nominated private sector awards - application amended - deletion of obsolete training provisions - application granted - operative ffpp 7 September 2000

## **NURSING HOMES AWARD**

**ORDER BY CONSENT -**

**No. 3 of 2000**

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THE **NURSING HOMES AWARD** IS VARIED IN THE FOLLOWING MANNER:

**1. By deleting Clause 3 - Arrangement, and inserting in lieu thereof the following:**

**"3. ARRANGEMENT**

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**2. By deleting Clause 7 - Definitions, and inserting in lieu thereof the following:**

**"7. DEFINITIONS**

(a) CLASSIFICATION DEFINITIONS

**'Administrative Employee'**

**Adult Entry Level - (Wage relativity to Services Employee Level 5 = 82.5%)**

'Adult Entry Level' shall mean the entry point for adult employees (21 years and over) with less than 1976 hours (or two calendar years whichever comes first) clerical experience either as a junior or adult, and on completion of that clerical experience (whether with one or more employers in any industry) such adult employee shall be advanced to a graded position dependent on skills held and position requirements.

**Level 1a - (Wage relativity to Services Employee Level 5 = 86%)**

An employee at this level shall be a Level 1b Administrative Employee with less than 1976 hours (or two calendar years whichever comes first) experience at this level.

**Level 1b - (Wage relativity to Services Employee Level 5 = 88.5%)**

An employee at this level may be engaged on tasks requiring direct supervision.

Performs routine tasks and/or operates basic equipment within guidelines established by the employer, requiring previous training or experience.

The employee would exercise little or no discretion.

Indicative tasks that may be performed at this level include:

Reception duties, filing, typing, mail.

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**Level 2a - (Wage relativity to Services Employee Level 5 = 90%)**

An employee at this level shall be a Level 2b Administrative Employee with less than 1976 hours (or two calendar years whichever comes first) experience at this level.

**Level 2b - (Wage relativity to Services Employee Level 5 = 92%)**

An employee at this level may be engaged on tasks requiring direct supervision.

Performs tasks using a more extensive range of skills and knowledge at a level higher than required at Level 1b Administrative Employee.

The employee may be responsible and accountable for their own work which is performed within routines and guidelines established by the employer.

The employee may exercise some discretion in relation to their own work.

Indicative tasks that may be performed at this level include in addition to those of Level 1b Administrative Employee:

Word processing, data input and retrieval.

**Level 3a - (Wage relativity to Services Employee Level 5 = 95%)**

An employee at this level shall be a Level 3b Administrative Employee with less than 1976 hours (or two calendar years whichever comes first) experience at this level.

**Level 3b - (Wage relativity to Services Employee Level 5 = 97%)**

An employee at this level may be engaged on tasks requiring general supervision.

Performs tasks using a more extensive range of skills and knowledge at a level higher than required at Level 2b Administrative Employee.

The employee would be responsible and accountable for their own work which is performed within guidelines established by the employer.

The employee would exercise some discretion in relation to their work.

An employee at this level may be in charge of up to five lower level employees.

Indicative tasks that may be performed at this level include in addition to those of Level 2b Administrative Employee:

Accounts, basic payroll duties.

**Level 4 - (Wage relativity to Services Employee Level 5 = 100%)**

An employee at this level may be engaged on tasks requiring general supervision.

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Performs tasks using a more extensive range of skills and knowledge at a level higher than required for Level 3b Administrative Employee.

The employee would be responsible and accountable for their own work and exercise discretion and initiative in the organisation of work within limits prescribed by the employer.

An employee at this level may be in charge of more than five lower level employees and be able to provide guidance by means of personal instruction and demonstration.

**Level 5 - (Wage relativity to Services Employee Level 5 = 105%)**

An employee at this level may be engaged on tasks requiring limited supervision.

Performs tasks using a more extensive range of skills and knowledge at a level higher than required for Level 4 Administrative Employee.

The employee would be responsible and accountable for their own work and have responsibility for the work of others.

The employee would exercise initiative, discretion and judgement in the performance of their work.

**Level 6 - (Wage relativity to Services Employee Level 5 = 110%)**

An employee at this level may be engaged on tasks requiring minimum supervision.

Performs tasks using a more extensive range of skills and knowledge at a level higher than required for Level 5 Administrative Employee.

The employee would be responsible and accountable for their own work and be responsible and accountable for the work of others.

The employee may be in charge of a section or department and would exercise initiative, discretion and judgement.

**Level 7 - (Wage relativity to Services Employee Level 5 = 120%)**

An employee at this level may be engaged in the performance of clerical and administrative duties using a more extensive range of skills and knowledge at a level higher than required for Level 6 Administrative Employee.

The employee would be responsible and accountable for their own work and be responsible and accountable for a section or department.

The employee would exercise initiative, discretion and judgement in the performance of their duties.

Supervision would be by means of reporting to more senior employees as required.

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### **'Extended Care Assistant'**

#### **Level 1 - (Wage relativity to Services Employee Level 5 = 78%)**

**'Trainee Extended Care Assistant'** means an employee in their first 494 hours of employment in this position and is undertaking induction training.

The employee will assist in providing direct care to residents in accordance with guidelines predetermined by the employer and shall be subject to direct supervision.

Indicative tasks that may be performed at this level include:

- Provide quality care to residents;
- Follow residents care plan;
- Observations of residents needs;
- Maintain relevant documentation.

Entry point:

New employee.

#### **Level 2 - (Wage relativity to Services Employee Level 5 = 85.5%)**

**'Extended Care Assistant'** means a Level 1 Extended Care Assistant employee who has completed the 494 hours induction training.

An employee at this level shall continue to receive in-house training while assisting in providing care to residents in accordance with guidelines predetermined by the employer and shall be subject to direct supervision.

An employee shall remain at this level until 1976 hours work (or two calendar years whichever comes first including 494 hours induction training) has been completed.

Entry point:

- Trainee Extended Care Assistant;
- Extended Care Assistant returning after an absence of more than five years.

#### **Level 3 - (Wage relativity to Services Employee Level 5 = 88.5%)**

**'Extended Care Assistant'** means an employee that provides direct care to residents in accordance with guidelines predetermined by the employer and shall be subject to general supervision.

Indicative tasks that may be performed at this level include:

- Provide quality care to residents;
- Follow residents care plan;
- Observations of residents needs;
- Maintain relevant documentation.

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Entry Point:

Extended Care Assistant Level 2 after 1482 hours at that level, or  
Extended Care Assistant Level 2 after two calendar years at that level, whichever comes first, or  
Experience and/or training acceptable to the employer.

**Level 4 - (Wage relativity to Services Employee Level 5 = 91%)**

**'Senior Extended Care Assistant'** means an employee that provides direct care to residents in accordance with routines established by the employer, shall be subject to general supervision and shall use initiative and judgement.

Indicative tasks that may be performed at this level include:

Diversional therapy;  
Supervision of Hostels.

**Level 5 - (Wage relativity to Services Employee Level 5 = 94%)**

**'Supervisor'** means an employee that provides direct care to residents in accordance with routines established by the employer, shall be subject to limited supervision and shall use a significant degree of discretion.

An employee at this level may be in charge of employees within their section or department.

An employee at this level shall have completed a relevant training course or have relevant experience acceptable to the employer.

**'Services Employee'**

**Level 1 - (Wage relativity to Services Employee Level 5 = 78.6%)**

An employee at this level shall be a new employee undergoing training for the first 1976 hours (or two calendar years whichever comes first) of employment.

Work performed shall be under direct supervision and of a routine nature within procedures established by the employer.

**Level 2 - (Wage relativity to Services Employee Level 5 = 82%)**

An employee at this level may be engaged on tasks requiring direct supervision.

Performs routine tasks and/or operates basic equipment requiring previous training or experience and little or no discretion on the part of the employee.

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**Level 3 - (Wage relativity to Services Employee Level 5 = 87.4%)**

An employee at this level may be engaged on tasks requiring general supervision.

Performs tasks and/or operates plant and equipment requiring skills beyond Level 2 Services Employee and which require the use of some discretion on the part of the employee.

An employee at this level may be in charge of up to six lower level employees.

**Level 4 - (Wage relativity to Services Employee Level 5 = 92.1%)**

An employee at this level may be engaged on tasks requiring general supervision.

Performs tasks and/or operates plant, equipment and vehicles requiring skills beyond Level 3 Services Employee and which may require a significant degree of discretion on the part of the employee.

May provide routine assistance to trades employees requiring a limited level of trade knowledge and skill.

An employee at this level may be in charge of up to 12 lower level employees and be responsible for the assignment and quality of their work.

**Level 5 - (Wage relativity to Services Employee Level 5 = 100%)**

An employee at this level may be engaged on tasks requiring general supervision.

Performs tasks and/or operates plant, equipment and vehicles requiring trade qualifications.

Performs tasks and/or operates plant, equipment and vehicles requiring a level of skills and knowledge acceptable to the employer.

An employee at this level may be in charge of up to 20 lower level employees engaged on a variety of non-trades tasks.

**Level 6 - (Wage relativity to Services Employee Level 5 = 105%)**

An employee at this level may be engaged on tasks requiring limited supervision.

Performs trade work requiring a high level of trade skill utilising initiative and judgement above that required at Level 5 Services Employee.

An employee at this level may be in charge of up to 20 lower level employees engaged on a variety of non-trades tasks and be responsible for the assignment and quality of their work.

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**Level 7 - (Wage relativity to Services Employee Level 5 = 110%)**

An employee at this level may be engaged on tasks requiring limited supervision.

Performs trade work requiring a high level of trade skill employing an independent approach and a high degree of initiative.

These tasks may encompass the provision of trade and equivalent level guidance to other employees.

An employee at this level may be in charge of more than 20 lower level employees engaged in trades tasks and be responsible for the assignment and quality of their work.

**Level 8 - (Wage relativity to Services Employee Level 5 = 115%)**

An employee at this level may be engaged on tasks using a more extensive range of skills and knowledge at a level higher than required for Level 7 Services Employee.

The employee would be responsible and accountable for their own work and be responsible and accountable for a section or department.

The employee would exercise initiative, discretion and judgement in the performance of their duties.

Supervision would be by means of reporting to more senior employees as required.

(b) GENERAL DEFINITIONS

**'Casual employee'** means a person who either:

- (i) relieves a full-time or part-time employee; or
- (ii) is engaged temporarily for specific duties for a period not exceeding eight weeks.

**'Executive staff'** means an employee appointed to the classification of Administrative Employee Level 7.

**'Full-time employee'** means a person engaged to work for the full ordinary hours prescribed in Clause 24 - Hours.

**'Non-rotating roster'** means a roster that does not fulfil all the minimum requirements for a rotating roster in accordance with the definition of rotating roster contained in this clause.

**'Part-time employee'** means a person, other than a full-time employee or casual employee engaged to work regularly in each pay period for less hours than an equivalently classified full-time employee.

**'Projected roster'** means an employee's normal roster for the period of leave.

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**'Relevant award rate'** means the rate specified for the appropriate classification in Clause 8 - Wage Rates, excluding all allowances, loadings etc.

**'Roster'** means a work pattern designed for a specific work area for all or any work performed outside the span or ordinary hours contained in Clause 24 - Hours, excluding work performed outside the span of hours and paid in accordance with Clause 30 - Overtime.

**'Rostered employee'** means an employee required to work in accordance with a roster.

**'Rotating roster'** means a roster that requires an employee to regularly rotate between day work, afternoon work and night work or any two combinations of them, subject to the following requirements:

- (i) an employee shall not be required to work night work for more than four weeks; and
- (ii) an employee shall not be required to work more than two-thirds of their working time on night work; and
- (iii) the daily hours of afternoon or night work allocated to each employee at any one time shall continue for at least five successive afternoons or nights.

For the purpose of this definition, day work is work performed between the hours of 6.00am and 7.00pm, afternoon work is work that concludes between the hours of 7.00pm and midnight, and night work is work that commences between the hours of 4.00pm and 6.00am.

**'Show Day'** means not more than one local show day observed on an employee's ordinary working day, other than a Saturday or a Sunday, in the city, town or district in which the employee is employed; or such other day which, in the absence of such a local show day, is agreed on by the employee and the employer.

**'Union'** means a registered organisation of employees listed in Clause 6 - Parties and Persons Bound."

**3. By deleting Clause 42 - Trainee Clerk.**

**4. By renumbering all clauses following Clause 41 - Tool Allowance.**

### **Operative Date**

These variations shall come into operation from the first full pay period to commence on or after 7 September 2000.

Tim Abey  
**COMMISSIONER**

27 September 2000