

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

FUEL MERCHANTS AWARD

ORDER BY CONSENT -

No. 3 of 2000

THE **FUEL MERCHANTS AWARD** IS VARIED IN THE FOLLOWING MANNER:

1. By deleting Clause 3 - ARRANGEMENT, and inserting in lieu thereof:

3. ARRANGEMENT

<u>Subject Matter</u>	<u>Clause No.</u>	<u>Page No.</u>
Title	1	
Scope	2	
Arrangement	3	
Date of Operation	4	
Supersession and Savings	5	
Parties and Persons Bound	6	
Definitions	7	
Wage Rates	8	
Annual Leave	9	
Articles of Clothing	10	
Award to be Exhibited	11	
Casual Employees	12	
Change (Money)	13	
Change of Place of Employment	14	
Compassionate Leave	15	
Contract of Employment	16	
Enterprise Agreements	17	
First-Aid	18	
Gear to be Provided	19	
Heavy Articles	20	
Highest Function	21	
Holidays with Pay	22	
Hours of Work	23	
Housing	24	
Meal Times	25	
No Reduction in Wages	26	
Notice Board	27	
Occupational Superannuation	28	
Overtime	29	
Parental Leave	30	
Part A - Maternity Leave		
Part B - Paternity Leave		
Part C - Adoption Leave		
Part D - Part-Time Work		
Part-Time Employees	31	
Payment of Wages	32	
Rest Periods	33	
Right of Entry	34	
Saturday Work - Five-Day Week	35	
Settlement of Disputes	36	

Sick Leave	37
Starting Time	38
Structural Efficiency	39
Sunday Work	40
Time Books	41
Travelling Allowances	42
Unauthorised Presence on Vehicles	43
Union Delegate	44"

2. By deleting Clause 7 - DEFINITIONS, and inserting in lieu thereof:

"7. DEFINITIONS

'Articulated vehicle' shall mean a vehicle with three or more axles, comprising a power unit (called "tractor truck", "prime mover", etc.) and semi-trailer unit which is superimposed on the power unit and coupled together by means of a king pin revolving on a turntable and articulated whether automatically detachable or permanently coupled.

'Assistant driver' means any employee who regularly accompanies a driver to assist in the driving, loading and unloading of bulk vehicles and/or delivery, but shall not include an employee temporarily accompanying a driver to assist only in loading, unloading and/or delivery.

'Bituminous-products-sprayman' shall mean an employee working under the direction of the driver of a bitumen-spraying vehicle; and, without limiting the scope of duties, the said duties shall include operation of the spraying equipment at the rear end of the vehicle, operation of the lance-type hand-spray, moving the vehicle during hand-spraying operations, and assisting the driver in the driving of the vehicle.

'Casual employee' means any person who is employed on a casual basis and includes any person who is employed for a period not exceeding five days at one time.

'Dual steer vehicle' means either a rigid vehicle which has more than one steering axle or an articulated vehicle with more than one steering axle on the prime mover.

'Fork-lift truck' shall mean a power driven and operated vehicle constructed for driving and operation by an operator seated on the vehicle for the purpose of lifting, carrying and or stacking goods, merchandise, materials etc. (whether as units, in batches, etc., or in pallet loads) by means of fork arms or other appropriate fitments according to the nature of the load.

'Lazy-axle' rigid delivery vehicle means a vehicle of similar construction to a "tandem drive" rigid delivery vehicle with the difference that only one of the rear axles has a differential through which the driving power is transmitted, and excludes an articulated vehicle.

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'Maker's capacity' shall mean the capacity attributed to the vehicle by the manufacturer as a maximum gross rating less the vehicle's tare except in cases where on any day the maximum weight of any load exceeds such capacity by one-third or more thereof, in which cases such maximum load shall, for the purposes of assessing the wages to be paid for that day, be deemed to be the maker's capacity.

'Motor waggon driver' means any employee engaged to drive or control any type of delivery vehicle specified in this part irrespective of other duties. This definition shall not exclude other duties ordinarily performed by a driver, including loading and unloading of bulk vehicles.

'Part-time employee' is one engaged to work in accordance with the provisions of Clause 31 - Part-time Employees.

'Saturday' for the purpose of this award shall mean either Saturday or such other day as is at present observed as the weekly half-holiday in a particular industry or district.

'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, therefore making a total of 11 paid public holidays per year.

'Storeman and packer' shall mean every employee engaged in the work of receiving, stacking, storing, packing, delivering or handling in any way whatsoever, petroleum products, equipment or other merchandise sold, used or employed in connection with petroleum merchant's business, including the painting and stencilling on drums and all work in connection with the packing or unpacking of containers or unitised cargoes.

'Tandem-drive' rigid delivery vehicle means a long-wheel-base single-unit vehicle (in which the engine, driving compartment and load-carrying compartment, tank or tray are all mounted on the one chassis) having two rear axles each with its own differential through which the driving power is transmitted to the rear wheels, and excludes an articulated vehicle.

'Union' shall mean and refer to the Transport Workers' Union of Australia or the National Union of Workers or the Australian Municipal, Administrative, Clerical and Services Union.

'Year' shall mean the period between the first day of June in each year and the next ensuing 31st day of May."

3. By deleting from Clause 8 - WAGE RATES, Group II, 3. CLERKS, and inserting in lieu thereof:

"3. CLERKS

	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
(a) Adult Clerks			
1st year of adult service	424.50	75.00	499.50
2nd year of adult service	437.70	75.00	512.70
3rd year of adult service	450.40	75.00	525.40
4th year of adult service	462.90	73.00	535.90
5th year of adult service	475.60	73.00	548.60
6th year of adult service	487.30	73.00	560.30
7th year of adult service	497.50	73.00	570.50
8th year of adult service	509.20	73.00	582.20
9th year of adult service	520.80	71.00	591.80
10th year of adult service	532.50	71.00	603.50
11th year of adult service	544.60	71.00	615.60
12th year of adult service	557.00	71.00	628.00

(b) Adult Typists

1st year of adult service	424.50	75.00	499.50
2nd year of adult service	437.70	75.00	512.70
3rd year of adult service	450.40	75.00	525.40
4th year of adult service	462.90	73.00	535.90

(c) Juniors

	Percentage of 1st Year Adult Weekly Wage Rate %
At or under 17 years of age	57
At 18 years of age	68
At 19 years of age	79
At 20 years of age	90"

4. By deleting Clause 42 - TRAINEE CLERK

5. By renumbering Clause 43 - TRAVELLING ALLOWANCE, to Clause 42 - TRAVELLING ALLOWANCE

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- 6. By renumbering Clause 44 - UNAUTHORISED PRESENCE ON VEHICLES, to Clause 43 - UNAUTHORISED PRESENCE ON VEHICLES**
- 7. By renumbering Clause 45 - UNION DELEGATE, to Clause 44 - UNION DELEGATE**

Operative Date

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

P C Shelley
COMMISSIONER

29 September 2000