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**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

s23 application for an award or variation of an award

**Tasmanian Trades and Labor Council**

(T6941 of 1997)

All public and private sector awards

**Automotive, Food, Metals, Engineering,  
Printing & Kindred Industries Union**

(T6928 of 1997)

Automotive Industries Award

(T6929 of 1997)

Draughting & Technical Officers (Private Industry) Award

(T6930 of 1997)

Fish, Aquaculture and Marine Products Award

(T6931 of 1997)

Metal & Engineering Industry Award

(T6932 of 1997)

Optical Industries Award

(T6933 of 1997)

Shipbuilders Award

(T6934 of 1997)

Surveyors (Private Industry) Award

**The Australian Workers' Union, Tasmania Branch**

(T6947 of 1997)

Automotive Industries Award

Bootmakers Award

Building Trades Award

Building and Construction Industry Award

Butter and Cheesemakers Award

Carriers Award

Clay and Mud Products Award

Concrete Products Award

Dairy Processing Award

Farming and Fruitgrowing Award

Fish, Aquaculture and Marine Products Award

Horticulturists Award

Marine Boards Award

Meat Processing Industry Award

Metal and Engineering Industry Award

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Monumental Masons Award  
Optical Industries Award  
Pasminco Rosebery (Mining) Award  
Plant Nurseries Award  
Produce Award  
Public Vehicles Award  
Quarrymens Award  
Roadmakers Award  
Rubber Trades Award  
Shearing Industry Award  
Shellfish Industry Award  
Timber Merchants Award  
Wireworking Award  
National Training Wage (Tasmanian Private Sector) Award

**Transport Workers' Union of Australia, Tasmanian Branch**  
(T6956 of 1997)  
Transport Workers General Award

**National Union of Workers, Tasmanian Branch**  
(T6971 of 1997)  
Automotive Industries Award  
Fuel Merchants Award  
Produce Award  
Retail Trades Award  
Rubber Trades Award  
Softgoods Award  
Wholesale Trades Award  
Fibreglass and Plastics Award  
Timber Merchants Award  
Wholesale Pharmaceutical Award

**Australasian Meat Industry Employees Union,  
Tasmanian Branch**  
(T6979 of 1997)  
Meat Processing Industry Award  
Meat Retailing Award

**Textile, Clothing and Footwear Union of Australia,  
Tasmanian Branch**  
(T6987 of 1997)  
Bootmakers Award  
Clothing Industry Award  
Textile Award

**Australian Municipal, Administrative, Clerical and Services Union**  
(T6991 of 1997)  
Aerated Waters Award  
Barristers and Solicitors Award  
Broadcasting and Television Award

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Clerical and Administrative Employees (Private Sector) Award  
Community Services Award  
Entertainment Award  
Estate Agents Award  
Furnishing Trades Award  
Independent Schools (Non-Teaching Staff) Award  
Insurance Award  
Photographic Industry Award  
Printers Award  
Public Accountants Award  
Restaurant Keepers Award  
Shipping Award  
Totalizator Agency Award

**Health Services Union of Australia, Tasmania No. 1 Branch**  
(T6993 of 1997)  
Dentists Award  
Disability Service Providers Award  
Medical Practitioners (Private Sector) Award  
Medical Diagnostic Services Award  
Nursing Homes Award  
Hospitals Award

### **SURVEYORS (PRIVATE INDUSTRY) AWARD**

FULL BENCH:  
PRESIDENT F D WESTWOOD  
DEPUTY PRESIDENT B R JOHNSON  
COMMISSIONER R J WATLING

Wage Rates - State Wage Case July 1997 - application to flow on Australian Industrial Relations Commission Safety Net Review decision April 1997 (Print P1997) agreed tripartite position - Wage Fixing Principles varied - \$10.00 per week arbitrated safety net adjustment approved- all private sector awards to be varied on application no earlier than ffpp on or after 14 July 1997 - State Minimum Wage to be subject to separate application

**ORDER -**

**No. 2 of 1997**

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AMEND THE **SURVEYORS (PRIVATE INDUSTRY) AWARD** IN THE FOLLOWING MANNER:

**1. Delete Clause 8 - Salaries and insert in lieu thereof the following:**

**"8. SALARIES**

1. Adults

Classification	Proposed Relativity at the end of the Minimum Rates Adjustment process	Base Rate	Supplementary Payment		Total Rate
			(A)	(B)	
	%	\$	\$	\$	\$
C1 Survey Hand	82	15572	2217	1352	19141
C2 Technical Assistant - Survey					
On commencement	83	15762	2244	1352	19358
After 1 years experience	88	16712	2380	1352	20444
After 2 years experience	95	18041	2569	1352	21962
After 3 years experience	100	18990	2704	1352	23046
C3 Trainee Survey Technician					
Level 1	105	19940	2839	1352	24131
Level 2	110	20889	2974	1352	25215
Level 3	115	21839	3110	1352	26301
C4 Survey Technician	125	23738	3380	1352	28470
C5 Survey Technician Senior Part-time Party Leader (Graduate Entry Point)	130	21237	3482	1352	26071
C6 Party Leader Surveyor/ Technical Surveyor Level I	135	24912	2188	1352	28452
C7 (i) Party Leader/Associate Surveyor Level II	145	29105	1176	1352	31633
(ii) Associate Diploma without experience					
On commencement	105	21905	22	1352	23279
After 1 years experience	115	23620	396	1352	25368
After 2 years experience	130	21237	4968	1352	27557
After 3 years experience	135	24912	2317	1352	28581
After 4 years experience	145	29105	1176	1352	31633

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C8	Experienced Surveyor	150	29105	1718	1352	32175
C9	Professional Surveyor	160	32550	1080	1352	34982
C10	Project Manager/ Surveyor - Special Projects - Level I	180	35996	1526	1352	38874
C11	Business Manager/Specialist	210	35996	4780	1352	42128

## 2. Juniors

The minimum annual wage rate to be paid to a junior employee shall be as follows:

**PROVIDED** that when determining the amount payable to an employee attaining the age of 21 years, who has been employed under this award, as a junior, experience obtained after reaching the age of 18 years shall be counted as adult experience.

(a)	Survey Hand	Percentage of classification level C1 %	Safety Net Adjustment \$	Total Rate \$
	Under 16 years	60	811	11485
	16 - 17 years	70	946	13399
	17 - 18 years	80	1082	15313
	18 - 19 years	90	1217	17227
	19 - 20 years	100	1352	19141
(b)	Technical Assistant	Percentage of classification level C2, After 3 years experience %	Safety Net Adjustment \$	Total Rate \$
	17 years and under	52	703	11984
	18 - 19 years	62	838	14289
	19 - 20 years	75	1014	17285
	20 years	88	1190	20280

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### 3. 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 s.10 or under s.12A of the above Act, or if a part only has received recognition, that part.

(b) For the purposes of this subclause:

- (i) **"Supported Wage System"** means the Commonwealth Government System to promote employment for people who cannot work at full award wages because of a disability.
- (ii) **"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.
- (iii) **"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.
- (iv) **"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.

(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 4 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.

**OPERATIVE DATE**

These variations shall come into operation from the first full pay period to commence on or after 14 July 1997.

R J Watling  
**COMMISSIONER**

16 July 1997