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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
(T9062 of 2000)

Private sector awards

FULL BENCH:

DEPUTY PRESIDENT R J WATLING
COMMISSIONER P L LEARY
COMMISSIONER P A IMLACH

Wage Rates - State Wage Case July 2000 - application to vary private sector awards in a manner consistent with the Australian Industrial Relations Commission decision in Print number S5000 - 2000 Safety Net Review - Wages - Agreed Settlement - \$15.00 Arbitrated Safety Net Adjustment and 3.14% increase to work related allowances - Approved

MEDICAL DIAGNOSTIC SERVICES (PRIVATE SECTOR) AWARD

ORDER BY CONSENT -

No. 1 of 2000

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THE MEDICAL DIAGNOSTIC SERVICES (PRIVATE SECTOR) AWARD IS VARIED IN THE FOLLOWING MANNER:

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

"8. WAGE RATES

1. ADULT EMPLOYEES

An employee shall be classified on commencement in one of the classifications contained in this award and shall be paid not less than the weekly wage rate assigned to the relevant grade provided hereunder. The classification structure listed here shall be read in conjunction with the definitions set out in Clause 7 - Definitions of this award.

	Base Rate Relativity %	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
(i) Administrative Employee				
Grade 1	78	325.40	75.00	400.40
Grade 2	82	342.10	75.00	417.10
Grade 3	87.4	364.60	75.00	439.60
Grade 4	92.4	385.50	75.00	460.50
Grade 5	100	417.20	75.00	492.20
Grade 6	105	438.10	75.00	513.10
Grade 7	110	458.90	75.00	533.90
Grade 8	115	479.80	73.00	552.80
Grade 9	125	521.50	71.00	592.50
(ii) Operational Employee				
Grade 1	78	325.40	75.00	400.40
Grade 2	82	342.10	75.00	417.10
Grade 3	87.4	364.60	75.00	439.60
Grade 4	92.4	385.50	75.00	460.50
Grade 5	100	417.20	75.00	492.20
Grade 6	105	438.10	75.00	513.10

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	Base Rate Relativity %	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
(iii) Technical Employee				
Grade 1	78	325.40	75.00	400.40
Grade 2	82	342.10	75.00	417.10
Grade 3	87.4	364.60	75.00	439.60
Grade 4	92.4	385.50	75.00	460.50
Grade 5	100	417.20	75.00	492.20
Grade 6	105	438.10	75.00	513.10
Grade 7	110	458.90	75.00	533.90
Grade 8	115	479.80	73.00	552.80
Grade 9	125	521.50	71.00	592.50
Grade 10	130	542.40	71.00	613.40
Grade 11	135	563.20	71.00	634.20
Grade 12	145	604.90	71.00	675.90
(iv) Professional Employee				
Graduate Trainee	115	479.80	73.00	552.80
Grade 1.1	125	521.50	71.00	592.50
Grade 1.2	130	542.40	71.00	613.40
Grade 1.3	135	563.20	71.00	634.20
Grade 1.4	145	604.90	71.00	675.90
Grade 1.5	150	625.80	71.00	696.80
Grade 1.6	160	667.50	69.00	736.50
Grade 1.7	170	709.20	69.00	778.20
Grade 2	180	751.00	69.00	820.00
Grade 3	210	876.10	69.00	945.10

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2. JUNIOR EMPLOYEES

(a) Operational Employee

The minimum weekly wage rate to be paid to junior employees shall be the undermentioned percentages of the weekly wage rate prescribed for Operational Employee Grade 1.

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.

	%
Under 17 years of age	50
17 years of age	60
18 years of age	70
19 Years of age	80
20 years of age	90

(b) Technical Employee and Administrative Employee

The minimum weekly wage rate to be paid to junior employees shall be the undermentioned percentages of the weekly wage rate prescribed for Administrative Employee Grade 3.

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.

	%
Under 17 years of age	50
17 years of age	60
18 years of age	70
19 Years of age	80
20 years of age	90

3. TRAINEE CLERK

The minimum weekly wage rate payable to a Trainee Clerk shall be determined by the following method of calculation:

In the case of juniors by taking the appropriate wage rate for a junior as prescribed in subclause 2 - Junior Employees paragraph (b) of this clause then multiplying it by 39 (which represents the actual number of weeks spent on the job) and dividing it by 52.

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In the case of adults the appropriate wage rate as prescribed in subclause 1 - Adult Employees of this clause, subparagraph (i) - Administrative Employee Grade 2.

PROVIDED that the wage determined by this calculation shall in no case be less than the minimum rate (as varied from time to time) prescribed by the Australian Traineeship System Guidelines.

PROVIDED FURTHER that the Trainee Clerk wage rate shall be calculated in multiples of ten cents with any result of five cents or more being taken to the next 10 cents."

2. By deleting Clause 9 - Annual Leave, and inserting in lieu thereof the following:

"9. ANNUAL LEAVE

(a) Period of Leave

A period of 28 consecutive days' leave shall be allowed annually to an employee after 12 months' continuous service (less the period of annual leave), excluding holidays with pay as prescribed in Clause 17 - Holidays With Pay.

PROVIDED that, by mutual agreement between the employer and the employee, leave may be taken in any combination providing one period is at least seven consecutive days (i.e. five working days).

(b) Additional Leave

A full time employee required to work in accordance with a roster shall, in addition to the annual leave prescribed in subclause (a), be allowed 38 hours leave, to be taken in a period of seven consecutive days including non-working days.

A part-time employee required to work in accordance with a roster shall, in addition to the annual leave prescribed in subclause (a), be allowed additional leave equal to the number of hours such employee would normally work in one week. Such additional leave to be taken in one consecutive period of seven days including non-working days.

PROVIDED that to receive such additional leave the employee shall work ordinary hours of work on not less than 10 Saturdays and 10 Sundays during any one leave year.

PROVIDED FURTHER that all employees before going on leave available under this subclause, shall be paid the amount of wages they would have received had they worked a projected roster.

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(c) Payment for Period of Leave

- (i) All employees, before going on annual leave, other than casual employees or part-time employees who attract a 20 per cent loading in lieu of the provisions of Clause 9 - Annual Leave, Clause 29 - Sick Leave and Clause 17 - Holidays with Pay shall be paid the amount of wages they would have received in respect of the ordinary time they would have worked had they not been on leave during the relevant period.
- (ii) In addition thereto, all full-time employees shall be paid annual leave loading which shall be \$268.60.
- (iii) Employees who are not in receipt of a 20 percent loading in lieu of the provisions prescribed in Clause 9 - Annual Leave, Clause 29 - Sick Leave and Clause 17 - Holidays with Pay shall have an entitlement based on the average weekly hours worked in the previous three months divided by 38 multiplied by \$268.60.

(d) Proportionate Leave on Termination of Service

A weekly employee who lawfully leaves the employment or who is dismissed, except for misconduct or neglect of duty, shall be paid 12.66 hours for each completed month of continuous service less any leave taken in advance."

Operative Date

These variations shall come into operation from the first full pay period to commence on or after 1 August 2000.

R J Watling
DEPUTY PRESIDENT

2 August 2000