

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

CORRECTION ORDER

WHEREAS an error occurred in the Order giving effect to the Commission's decision of 1 August 2000 (T9062 of 2000) varying the **BUILDING TRADES AWARD**, in accordance with Section 19(2)(a) of the Act the Commission hereby corrects Order No. 2 of 2000 in the following manner:

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

"8. WAGE RATES

FOR EMPLOYEES IN DIVISION A

1. WAGE RATES

The weekly wage rate to be paid to employees covered by this division shall be those prescribed herein calculated as an hourly rate in accordance with paragraph 1(a) - Hourly Rate Calculation - Follow the Job Loading, of this clause.

(a) Hourly Rate Calculation - Follow the Job Loading

The calculation of the hourly rate shall take into account a factor of eight days in respect of the incidence of loss of wages for periods of unemployment between jobs.

For this purpose the hourly rate, calculated to the nearest cent (less than half a cent to be disregarded) shall be calculated by multiplying the sum of the appropriate amounts prescribed in paragraph 1(b) - Weekly Wage Rate, paragraph 1(e) - Industry Allowance, and paragraph 1(f) - Tool Allowance of this division, by 52 over 50.4 rounded to the nearest cent, adding to that subtotal the amount prescribed in paragraph 1(c) - Special Allowance, of this division and dividing the total by 38 (provided that in the case of a Carpenter Diver the division shall be 31), rounded to the nearest cent.

(b) Weekly Wage Rate

The weekly wage rate for the purpose of the abovementioned calculation for the respective classifications shall be the following:

Classification	Base Rate \$	Supple- mentary Payment \$	Safety Net Adjustment \$	Weekly Wage Rate \$
Carpenter Diver	489.80	52.10	71.00	612.90
Carver	395.90	52.10	75.00	523.00
Special Class Tradesman	385.00	52.10	75.00	512.10
Letter Cutter	378.60	52.10	75.00	505.70
Marker or Setter Out	378.60	52.10	75.00	505.70
Signwriter	374.70	52.10	75.00	501.80
Artificial Stoneworkers, Bricklayers, Bridge and Wharf Carpenter, (Carpenter and/or Joiner), Caster, Fixer, Floorlayer Specialist, Floorsander, Glazier, Painter, Plasterer, Roof Fixer, Tilelayer	365.20	52.10	75.00	492.30
Plasterer's, Terrazzo or Stonemason's Assistant	335.10	52.10	75.00	462.20
Stonemason's Assistant (Factory)	320.60	52.10	75.00	447.70

(c) Special Allowance

Employees shall be paid an allowance of \$7.70 per week to compensate for the following matters:

- (i) excess travelling time incurred by employees in the building industry;
- (ii) the removal of loadings from the various Building Industry awards consequent upon the introduction of 'paid rates' awards in the building industry.

(d) Leading Hands and Foreman

A person specifically appointed to be a leading hand shall be paid at the rate of the undermentioned additional hourly amounts above the hourly rates of the highest classification supervised, or his own rate, whichever is the highest in accordance with the number of persons in his charge.

	Weekly Base	Per Hour
(i) In charge of not more than 1 person	\$11.80	32¢
(ii) In charge of 2 and not more than 5 persons	\$26.10	71¢
(iii) In charge of 6 and not more than 10 persons	\$33.30	91¢
(iv) In charge of over 10 persons	\$44.50	\$1.21
(v) Foreman - in addition to the rates prescribed in paragraph 1(a) - Hourly Rate Calculation - Follow the Job Loading, paragraph 1(b) - Weekly Wage Rate and paragraph 1(c) - Special Allowance of this division, a Foreman in charge of a complete project shall be paid \$16.05 per day extra, provided that the payment prescribed in this paragraph shall not be taken into account for the purpose of calculating hourly rates prescribed in this division.		

The hourly rate prescribed herein is calculated to the nearest cent (less than half a cent to be disregarded) by multiplying the weekly wage rate by 52 over 50.4 and dividing the total by 38 (provided that in the case of a Carpenter Diver, the division shall be 31) and the said amount shall apply for all purposes of this award.

(e) Industry Allowance

In addition to the rates prescribed in paragraph 1(b) - Weekly Wage Rate of this division, an employee shall be paid an allowance at the rate of \$18.40 per week to compensate for the following disabilities associated with construction:

- (i) climatic conditions when working in the open on all types of work;
- (ii) the physical disadvantage of having to climb stairs or ladders;
- (iii) the disability of dust blowing in the wind, brick dust, drippings from newly poured concrete;
- (iv) sloppy and muddy conditions associated with initial stages of the erection of a building;
- (v) the disability of working on all types of scaffolds or ladders other than a swing scaffold, suspended scaffold or a bosun's chair;
- (vi) the lack of usual amenities associated with factory work (e.g. meal rooms, change rooms, lockers).

(f) Tool Allowance

A tool allowance shall be paid for all purposes of the award in accordance with the following table:

Classification	Amount per Week \$
Artificial Stoneworker, Carpenter and/Joiner, Carpenter Diver, Carver, Bridge and Wharf Carpenter, Floorsander, Letter Cutter	18.80
Caster, Fixer, Floorlayer Specialist	15.40
Plasterer	15.40
Bricklayer	13.40
Roof Fixer	9.80
Signwriter, Painter, Glazier	4.60

2. CONDITIONS FOR CARPENTER DIVERS

If called upon to work as a diver in the period before the daily meal break he/she shall receive a minimum payment for three hours as a carpenter diver.

If called upon to dive after the midday meal break he/she shall be paid as a carpenter diver for the time during which he/she works as such or for three hours, whichever is the greater.

3. PIECE-WORK

Engagement on a piece-work basis may be entered into providing that:

- (a) payment for such work shall be made at a rate which will enable the employee to earn not less than $33\frac{1}{3}$ per cent above the appropriate wage rate prescribed herein for ordinary hours of work and in addition thereto payment for all prescribed special rates, allowances and penalty rates; and
- (b) employees engaged on piece-work shall be entitled to all of the conditions of employment prescribed in this award for employees on hourly rates.
 - (i) An employee who is employed in the classifications of joinery work, who is required to perform work 'on-site' on a construction project on any day or part thereof, shall be paid the rates and allowances that are applicable to that particular site work.
 - (ii) Where an employee has an entitlement under subparagraph (i) above on three or more days in any pay week he/she shall be paid in accordance with subparagraph (i) above for the whole of that pay week.

4. APPRENTICES

The employment of apprentices shall be in accordance with the requirements of the *Vocational Education and Training Act 1994* and Regulations made thereto.

- (a) The weekly wage rate to be paid by employers to apprentices shall be calculated by applying the percentages shown hereunder to the aggregate of the appropriate weekly wage rate contained in paragraph 1(b) - Weekly Wage Rate and paragraph 1(c) - Special Allowance of this division and, in addition thereto apprentices shall receive the amounts prescribed in paragraph 1(e) - Industry Allowance and paragraph 1(f) - Tool Allowance of this division.

	Percentage of Weekly Rate %
Artificial Stoneworker, Glazier, Painter, Plasterer, Bricklayer, Carpenter	
1st year	38
2nd year	55
3rd year	75
4th year	90

In addition, Industry Allowance \$18.40 and Tool Allowance as per paragraph 1(f).

	Percentage of Weekly Rate %
Signwriter	
1st year	38
2nd year	55
3rd year	75
4th year	90

In addition, Industry Allowance \$18.40 and Tool Allowance as per paragraph 1(f).

	Percentage of Weekly Rate %
Roof Tiler	
1st year	55
2nd year	75
3rd year	90

In addition, Industry Allowance \$18.40 and Tool Allowance as per paragraph 1(f).

The foregoing rates shall be calculated to the nearest five cents, two cents and less to be disregarded.

- (b) An employee who is under the age of 21 on the completion of his apprenticeship, or any junior, other than a probationer or an apprentice, who uses the tools in performing

work usually carried out by a tradesman shall be paid not less than the appropriate wage prescribed for a tradesman.

- (c) An employer who provides an apprentice with a kit of tools may withhold from the wages of the apprentice the tool allowance until such time as the employer is reimbursed the cost of the tools. In the event of an apprentice being dismissed or leaving the employment before the cost of tools has been reimbursed, the employer shall be entitled to deduct from any moneys owing the apprentice the amount then owing to or retain such of the tools as will equal the value then owing.

Tools so provided shall be kept at the employer's establishment during the usual hours of work.

- (d) Should an apprentice at the time of being apprenticed produce a Schools Certificate (Full Award) with passes in Mathematics, English and Science, he/she shall be entitled to 60 cents extra per week in addition to the wages and allowances prescribed in this subclause.
- (e) The provisions of Clause 7 - Definitions (for employees in Division A), Clause 10 - Annual Leave, Clause 13 - Compensation for Clothes and Tools, Clause 14 - Easter Saturday, Clause 15 - Fares and Travelling, Clause 18 - Hours, Clause 23 - Living Away From Home - Distant Work, Clause 24 - Meal Allowance, Clause 26 - Multi-storey Allowance, Clause 27 - Overtime and Special Time, Clause 34 - Public Holidays and Holiday Work, Clause 35 - Rest Periods and Crib Time, Clause 39 - Shift Work, Clause 40 - Sick Leave, Clause 41 - Special Rates and Clause 47 - Weekend Work of this award, shall be applicable to and in respect of the employment of apprenticed junior employees to the extent that they are consistent with the provisions of any articles of indenture in accordance with the terms of the contract of employment.

5. 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 division) 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:

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 \$51 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.
- (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 \$51 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.

FOR EMPLOYEES IN DIVISION B - BUILDERS LABOURERS

1. WAGE RATES

The weekly wage rate to be paid to employees covered by this division shall be those prescribed herein calculated as an hourly rate in accordance with paragraph 1(a) - Hourly Rate Calculation - Follow the Job Loading.

- (a) Hourly Rate Calculation - Follow the Job Loading

The calculation of the hourly rate shall take into account a factor of eight days in respect of the incidence of loss of wages for periods of unemployment between jobs.

For this purpose the hourly rate calculated to the nearest cent (less than half a cent to be disregarded) shall be calculated by multiplying the sum of the appropriate amounts prescribed in paragraph 1(b) - Weekly Wage Rate and paragraph 1(e) - Industry Allowance of this division, by 52 over 50.4 rounded to the nearest cent, adding to that subtotal the amount prescribed in paragraph 1(c) - Special Allowance of this division and dividing the total by 38, rounded to the nearest cent.

- (b) Weekly Wage Rate

The weekly wage rate for the purpose of the abovementioned calculation for the respective classifications shall be the following:

Classification	Base Rate \$	Supplementary Payment \$	Safety Net Adjustment \$	Weekly Wage Rate \$
(1) Rigger, Dogman	362.30	52.10	75.00	489.40
(2) Scaffolders, Powder Monkey, Hoist or Winch Driver, Foundation Shaftsmen, Steelfixer, including Tack Welder, Concrete Finisher	346.70	52.10	75.00	473.80
(3) Trades Labourers, Jack Hammer-man, Mixer Driver (Concrete) Gantry Hand or Crane Hand, Crane Chaser, Cement Gun Operator (except in Vic), Concrete Cutting or Drilling Machine Operator, Concrete Gang including Concrete Floater, Roof Layer (Malthoid or similar material), DumpCart Operator, Concrete, Formwork Stripper	335.10	52.10	75.00	462.20
(4) Builders Labourers other than as specified in classifications (1) to (3) of this paragraph	306.60	52.10	75.00	433.70

(c) Special Allowance

Employees shall be paid an allowance of \$7.70 per week to compensate for the following matters:

- (i) excess travelling time incurred by employees in the building industry;
- (ii) the removal of loadings from the various Building Industry awards consequent upon the introduction of 'paid rates' awards in the building industry.

(d) Leading Hands

A person specifically appointed to be a leading hand, shall be paid at the rate of the undermentioned additional hourly amounts above the hourly rates of the highest

classification supervised, or his own rate, whichever is the highest, in accordance with the number of persons in his charge.

	Weekly Base	Per Hour
(i) In charge of not more than 1 person	\$11.80	32¢
(ii) In charge of 2 and not more than 5 persons	\$26.10	71¢
(iii) In charge of 6 and not more than 10 persons	\$33.30	91¢
(iv) In charge of over 10 persons	\$44.50	\$1.21

The hourly rate prescribed herein is calculated to the nearest cent (less than half a cent to be disregarded) by multiplying the weekly wage rate by 52 over 50.4 and dividing the total by 38, and the said amount shall apply for all purposes of this award.

(e) Industry Allowance

In addition to the rates prescribed in paragraph 1(b) - Weekly Wage Rate of this division, an employee shall be paid an allowance at the rate of \$18.40 per week to compensate for the following disabilities associated with construction work:

- (i) climatic conditions when working in the open on all types of work;
- (ii) the physical disadvantage of having to climb stairs or ladders;
- (iii) the disability of dust blowing in the wind, brick dust, drippings from newly poured concrete;
- (iv) sloppy and muddy conditions associated with the initial stages of the erection of a building;
- (v) the disability of working on all types of scaffolds or ladders other than a swing scaffold, suspended scaffold or a bosun's chair;
- (vi) the lack of the usual amenities associated with factory work (for example, meal rooms, change rooms, lockers).

2. CASUAL HANDS

In addition to the rate appropriate for the type of work, a casual hand shall be paid an additional $33\frac{1}{3}$ per cent of the rate per hour with a minimum payment as for three hours employment. The penalty rate herein prescribed shall be deemed to include, inter alia, compensation for annual leave.

3. SUPPORTED WAGE SYSTEM

As provided for in Division A, subclause 5 of this clause.

FOR EMPLOYEES IN DIVISION C - EQUIPMENT OPERATORS

1. WAGE RATES

- (a) The weekly wage rate to be paid to employees who work on the undermentioned mechanical equipment classification shall be that prescribed herein calculated at an hourly rate in accordance with paragraph 1(h) - Hourly Rate Calculation of this division.

- (b) Weekly Wage Rates

The following amounts shall be applied where appropriate for the purposes of the calculation in paragraph 1(h) - Hourly Rate Calculation of this division of the hourly rate to apply under this award.

The weekly wage rate for the purpose of the abovementioned calculation for the respective classifications shall be in accordance with the following table:

Classification	Base Rate \$	Supple- mentary Payment \$	Safety Net Adjustment \$	Weekly Wage Rate \$
OPERATOR GRADE 1 Mechanical Plant Operator Group 1 & 2 Winch Driver Forklift Driver Lifting capacity to 5000 kg	350.30	52.10	75.00	477.40
OPERATOR GRADE 2 Forklift Driver - Lifting Capacity over 5000 kg Mobile Hydraulic Platform Operator	356.10	52.10	75.00	483.20
OPERATOR GRADE 3 Mechanical Plant Operator Group 3 & 4 Mobile Crane Driver up to 15 tonnes	370.30	52.10	75.00	497.40

OPERATOR GRADE 4 Mobile Crane Driver 15 - 100 tonnes Mechanical Plant Operator Group 5 & 6	385.30	52.10	75.00	512.40
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**CAPACITY ADJUSTMENT
FORMULA**

Mobile Cranes - for each additional 40 tonnes over a maximum lifting capacity of 100 tonnes an amount of \$14.40 shall be added to the base rate for Operator Grade 3 and 4

OPERATOR GRADE 5 Tower Crane Operator	430.50	52.10	73.00	555.60
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(c) Special Allowance

Employees shall be paid in addition to the rates prescribed in paragraph 1(b) - Weekly Wage Rates of this subclause a special allowance of \$7.70 to compensate for excess travelling time incurred by employees in the building and construction industry.

(d) In Charge of Plant Allowance

'In charge of plant' an employee who is in charge of plant, which shall mean:

- (i) when two or more employees are employed at the plant at one time, the employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility; or
- (ii) an employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility over one or more other employees; or
- (iii) when he/she is the only person of his/her class employed on the plant the employee who does the general repair work of the plant in addition to the work of operating, but not when he/she merely assists a fitter or engineer to do such work; or
- (iv) where shifts are worked the employee who is directed to carry out the general repair work of the plant in addition to the work of operating, but not when he/she merely assists a fitter or engineer to do such work, shall be paid an allowance of \$24.00 per week.

(e) Leading Hands

A person specifically appointed to be Leading Hand shall be paid in addition to the rates prescribed in paragraph 1(b) - Weekly Wage Rates of this division, at the rate of the highest classification supervised, or his own rate, whichever is the highest in accordance with the number of persons in his charge.

	Per Hour
(i) in charge of not more than 1 person	32¢
(ii) in charge of 2 and not more than 5 persons	71¢
(iii) in charge of 6 and not more than 10 persons	91¢
(iv) in charge of over 10 persons	\$1.21

(f) Casual Hands

In addition to the rate appropriate for the type of work, a casual hand shall be paid an additional 20 per cent of the rate per hour with a minimum payment for three hours employment. The penalty rate herein prescribed shall be made in lieu of Annual Leave, Public Holidays and Sick Leave prescribed for other employees in this award.

(g) Industry Allowance

An employee shall be paid in addition to the rates prescribed in paragraph 1(b) - Weekly Wage Rates of this division, an allowance at the rate of \$18.40 per week to compensate for the following disabilities associated with construction work:

- (i) Climatic conditions when working in the open on all types of work.
- (ii) The physical disadvantages of having to climb stairs or ladders.
- (iii) The disability of dust blowing in the wind, brick dust and drippings from newly poured concrete.
- (iv) Sloppy and muddy conditions associated with the initial stages of the erection of a building.
- (v) The disability of working on all types of scaffolds or ladders other than a swing scaffold, suspended scaffold, or bosun's chair.
- (vi) The lack of usual amenities associated with factory work (e.g. meal rooms, change rooms, lockers).

(h) Hourly Rate Calculation

The calculation of the hour rate shall be calculated by adding the amounts prescribed by paragraph 1(b) - Weekly Wage Rates, paragraph 1(c) - Special Allowance, paragraph 1(d) - In Charge of Plant Allowance, paragraph 1(e) - Leading Hands and paragraph 1(g) - Industry Allowance of this division and dividing the total by 38.

2. SUPPORTED WAGE SYSTEM

As provided for in Division A, subclause 5 of this clause.

FOR EMPLOYEES IN DIVISION D - WEEKLY HIRE, MAINTENANCE & WORKSHOPS

1. WAGE RATES

The weekly wage rate set out hereunder shall be the rates payable to adult employees classified herein.

Classification	Base Rate \$	Supple- mentary Payment \$	Safety Net Adjustment \$	Weekly Wage Rate \$
(i) Joiner and/or machinist	365.20	46.80	75.00	487.00
(ii) Carpenter	365.20	46.80	75.00	487.00
(iii) Bricklayer	365.20	46.80	75.00	487.00
(iv) Plasterer	365.20	46.80	75.00	487.00
(v) Painter, decorator, paper hanger, glazier	365.20	46.80	75.00	487.00
(vi) Roof Tiler and slater	365.20	46.80	75.00	487.00
(vii) Shopfitter	365.20	46.80	75.00	487.00
(viii) Floor sander	365.20	46.80	75.00	487.00
(ix) Boilermaker and/or structural steel tradesman	365.20	46.80	75.00	487.00
(x) Fibrous plaster caster	365.20	46.80	75.00	487.00
(xi) Signwriter	376.20	53.50	75.00	504.70
(xii) Marker or setter out	383.50	46.90	75.00	505.40
(xiii) Special Class Tradesman	383.50	48.20	75.00	506.70

PROVIDED that an employee who is the holder of a Certificate in Building shall be paid an allowance of \$4.45 per day in addition to all other wage rates prescribed for his/her classification.

2. LEADING HANDS AND FOREMAN

In addition to the rates prescribed in subclause 1 - Wage Rates of this division, leading hands or if appointed as such shall be paid:

	Per Hour
(a) In charge of not more than 1 person	32¢
(b) In charge of 2 and not more than 5 persons	71¢
(c) In charge of 6 and not more than 10 persons	91¢
(d) In charge of over 10 persons	\$1.21
(e) Foreman - in addition to rates prescribed in subclause 1 - Wage Rates of this division, a Foreman in charge of complete projects shall be paid per day extra \$16.05.	

PROVIDED that payments prescribed in this subclause shall not be taken into account for purposes of calculating hourly rates prescribed in Clause 8 - Wage Rates, Division A, subclause 1 - Wage Rates.

3. TOOLS AND TOOL ALLOWANCE

In addition to the rates prescribed in Clause 8 - Wage Rates, Division A, subclause 1 - Wage Rates and subclause 2 - Leading Hands and Foreman of this division, employees shall be paid a tool allowance per week in accordance with the following in recognition of the employee providing the tools specified in Clause 45 - Tools and Lockers.

	\$
Carpenter and/or floor sander	18.80
Joiner and/or shop fitter	18.80
Signwriter	4.60
Bricklayer	13.40
Stonemason	18.80
Plasterer	15.40
Roof tiler and slater	9.80
Painter and paper-hanger	4.60
Glazier	4.60

4. DISABILITY ALLOWANCE

In addition to rates prescribed in subclauses 1 - Wage Rates, 2 - Leading Hands and Foreman and 3 - Tools and Tool Allowance of this division all employees mentioned hereunder shall be paid an allowance of \$9.00 per week to compensate for disabilities of the industry not otherwise provided for in this award:

- (a) employees engaged on maintenance work;
- (b) employees (including apprentices) employed in joinery or wood-machining workshops.

5. PIECE-WORK

Engagement on a piece-work basis may be entered into provided:

- (a) payment for such work shall be paid at a rate which will enable an employee to earn not less than 33 $\frac{1}{3}$ per cent above appropriate wage rates prescribed herein for ordinary hours of work and in addition thereto payment for all prescribed special rates, allowances and penalty rates; and
- (b) an employee engaged on piece-work shall be entitled to all of the conditions of employment prescribed in this award for employees on weekly hire.

6. APPRENTICES

The employment of apprentices shall be in accordance with the requirements of the *Vocational Education and Training Act 1994* and Regulations made thereto.

- (a) The weekly wage rates to be paid by employers to apprentices shall be the undermentioned percentages of the current minimum weekly wage rate prescribed in subclause 1 - Wage Rates of the relevant adult classifications of this division.

Year of Apprenticeship	%
(i) Carpenter/Bricklayer, Stonemason, Plasterer, Painter, Decorator, Paper hanger, Glazier, Boilermaker	
1st year	38
2nd year	55
3rd year	75
4th year	90
In addition, Disability Allowance \$9.00 and Tool Allowance as prescribed in subclause 3 of this division.	
(ii) Signwriter	
1st year	38
2nd year	55
3rd year	75
4th year	90
In addition, Disability Allowance \$9.00 and Tool Allowance as prescribed in subclause 3 of this division.	

- (iii) Roof Tiler and Slater
- | | |
|----------|----|
| 1st year | 50 |
| 2nd year | 75 |
| 3rd year | 90 |
- In addition, Disability Allowance \$9.00 and Tool Allowance as prescribed in subclause 3 of this division.

The said minimum rates shall be calculated to the nearest 10 cents.

- (b) An employee who is under 21 years of age on completion of an apprenticeship or any junior, other than a probationary or an apprentice, who uses the tools in performing work usually carried out by tradesmen, shall be paid not less than the appropriate wage prescribed for tradesmen.
- (c) Tool allowances in accordance with the scale prescribed in subclause 3 - Tools and Tool Allowance of this division, shall be paid to apprentices, in addition to rates prescribed in paragraph 6(a) - Weekly Wage Rates above.

An employer who provides an apprentice with a kit of tools may withhold from the wages of an apprentice the tool allowance until such time as the employer is reimbursed the cost of the tools. In the event of an apprentice being dismissed or leaving the employment before the cost of tools has been reimbursed, the employer shall be entitled to deduct from any monies owing to the apprentice the amount owing to or retain such of the tools as will equal the value then owing.

Tools also provided shall be kept at the employer's establishment during the usual hours of work.

- (d) Should an apprentice at the time of being apprenticed produce a School Certificate (Full Award) with passes in Mathematics, English and Science, he/she shall be entitled to \$1.20 per week extra in addition to wages and allowances prescribed in this division.
- (e) The provisions of Clause 10 - Annual Leave, Clause 11 - Bereavement Leave, Clause 14 - Easter Saturday, Clause 18 - Hours, Clause 26 - Multi-storey Allowance, Clause 27 - Overtime and Special Time, Clause 29 - Payment of Wages, Clause 34 - Public Holidays and Holiday Work, Clause 35 - Rest Periods and Crib Time, Clause 39 - Shift Work, Clause 40 - Sick Leave, Clause 41 - Special Rates, and Clause 47 - Weekend Work shall be applicable to and in respect of the employment of apprenticed junior employees to the extent that they are consistent with the provisions of any articles of indenture in accordance with the terms of the contract of employment.

7. JUNIOR LABOUR

- (a) The proportion of unapprenticed junior employees to journeymen employed by any employer shall not exceed one to six on work performed in shops or joinery mills.

Provided, nevertheless, that an employer who employs two adult employees may employ one unapprenticed junior employee.

- (b) The weekly wage rate to be paid to juniors not being apprentices or probationary apprentices shall be the undermentioned percentages of the sum of the amounts prescribed in Clause 8 - Wage Rates, Division B - Builders Labourers, paragraph 1(b) - Weekly Wage Rate, classification (4) and paragraph 1(c) - Special Allowance.

	%
Under 19 years of age	75
19 to 20 years of age	90
20 to 21 years of age	100

- (c) The provisions of subclause 4 - Disability Allowance of this division, and Clause 10 - Annual Leave, Clause 11 - Bereavement Leave, Clause 14 - Easter Saturday, Clause 18 - Hours, Clause 26 - Multi-storey Allowance, Clause 27 - Overtime and Special Time, Clause 29 - Payment of Wages, Clause 34 - Public Holidays and Holiday Work, Clause 35 - Rest Periods and Crib Time, Clause 39 - Shift Work, Clause 40 - Sick Leave, Clause 41 - Special Rates and Clause 47 - Weekend Work shall be applicable to the employment of unapprenticed junior employees.
- (d) The work that may be performed by unapprenticed juniors shall be running messages, sweeping and cleaning. Where juniors are engaged on duties other than those mentioned in this subclause they shall be paid not less than the hourly hire rates prescribed for the appropriate classification in Division B - Builders Labourers, subclause 1 - Wage Rates.

8. SUPPORTED WAGE SYSTEM

As provided for in Division A, subclause 5 of this clause."

R J Watling
DEPUTY PRESIDENT

24 August 2000