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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

FARMING AND FRUIT GROWING AWARD

ORDER BY CONSENT -

No. 3 of 2000

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The **FARMING AND FRUIT GROWING AWARD** is varied in the following Manner

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

3. ARRANGEMENT

<u>SUBJECT MATTER</u>	<u>CLAUSE NO</u>	<u>PAGE NO</u>
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Supersession and Savings	5	
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Hours and Days of Work	19	
Loss of Clothing Due to Fire	20	
Mixed Functions	21	
Parental Leave	22	
Part A - Maternity Leave		
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Part D - Part-time Work		
Payment of Wages	23	
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Right of Entry	27	
Sick Leave	28	
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Time and Wages Book	30	
Tools and Equipment	31"	

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

"7. DEFINITIONS

'Casual Employee' means a person who is engaged on an irregular basis to perform a specific task(s) over a defined time period. At the completion of such period and or task(s) the contract of employment shall be deemed to be terminated.

'Dairy Farm Employee' means a person who is engaged on a farm where the principle task(s) undertaken by the employee is that of milking of cows.

**'Farm and/or Orchard Hand Level 1'
(% Wage relativity to Farm and/or Orchard Hand Level 4 after minimum rate adjustment = 78%)**

Farm and/or Orchard Hand Level 1 means a person with less than 6 months experience in the industry as specified in Clause 2 - Scope of this award who is capable of performing under supervision tasks reasonably required of an employee which may include but not be limited to some or all of the following:

- * operating farm and or orchard equipment;
- * collecting, grading, packing and handling of eggs;
- * egg production techniques;
- * poultry husbandry;
- * animal husbandry;
- * driving;
- * stock handling;
- * irrigation work;
- * sorting and thinning;
- * spraying;
- * pruning;
- * picking;
- * grading
- * planting

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'Farm and/or Orchard Hand Level 2'

(% Wage relativity to Farm and/or Orchard Hand Level 4 after minimum rate adjustment = 84%)

Farm and/or Orchard Hand Level 2 means a person with at least 6 months experience in the industry as specified in Clause 2 - Scope of this award as a farm and/or orchard hand who is capable of performing, under limited supervision some or all of the functions of a Farm and/or Orchard Hand Level 1.

'Farm and/or Orchard Hand Level 3'

(% Wage relativity to Farm and/or Orchard Hand Level 4 after minimum rate adjustment = 90%)

Farm and/or Orchard Hand Level 3 means a person with at least 12 months experience in the industry as specified in Clause 2 - Scope of this award as a Farm and/or Orchard Hand Level 2 and who is capable of performing efficiently without supervision any of the tasks reasonable required of him/her, which may include:

- * Maintaining and operating farm and/or orchard vehicles and machinery;
- * driving;
- * animal husbandry;
- * stock handling;
- * irrigation work;
- * use of chemicals;
- * spraying
- * pruning;
- * picking;
- * grading;
- * sorting;
- * thinning;
- * planting

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'Farm and/or Orchard Hand - Level 4'
(% Wage relativity after minimum rate adjustment = 100%)

Farm and/or Orchard Hand - Level 4 means an employee who has successfully completed a recognised apprenticeship in a relevant trade. This shall not restrict the employer from classifying an employee at Level 4 if that employee has achieved a certain standard of knowledge and/or competence in the industry as specified in Clause 2 - Scope of this award.

'Floriculturist' means an employer whose business involves the growing of flowers through to bloom for the retail and/or wholesale market.

'Full-time Employee' means any person who is engaged on an ongoing full-time basis on one of the work cycles described in Clause 19 - Hours and Days of Work, subclause (a).

'Mechanical Plant Operator - Level 1'
(% Wage relativity to Farm and/or Orchard Hand Level 4 after minimum rate adjustment = 90%)

Mechanical Plant Operator - Level 1 means an employee who is required to operate mechanical plant equipment or a harvesting machine. This level does not apply to employees of employers who use the employer's machinery for the planting and harvesting of the employer's crop.

'Mechanical Plant Operator - Level 2'
(% Wage relativity to Farm and/or Orchard Hand - Level 4 after minimum rate adjustment = 95%)

Mechanical Plant Operator - Level 2 means an employee who is capable of operating a range of mechanical harvesting machines used in harvesting peas and/or broad beans and/or green beans. This level does not apply to employees of employers who use the employer's machinery for the planting and harvesting of the employer's crop.

'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 up to 11 paid holidays per year.

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

3. By deleting Clause 32 - Traineeships

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OPERATIVE DATE

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

A W Pearce
COMMISSIONER

21 September 2000