

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984  
s.23 application for award or award variation

**Health Services Union of Australia  
Tasmania No 1 Branch**  
(T6271 of 1996)

**HOSPITALS AWARD**

Award variation - Review of Wage Fixing Principles arising from the decision of the Australian Industrial Relations Commission in the Third Safety Net Adjustment and Section 150A Review on 9 October 1995 (Print M5600) - operative date ffpp 24.7.96

**ORDER -**

**No. 2 of 1996**

AMEND THE **HOSPITALS AWARD** IN THE FOLLOWING MANNER:

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

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

**"8. WAGE RATES**

**A. ADMINISTRATIVE AND CLERICAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

**FULL TIME EMPLOYEES**

		Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
level 1 (as defined)	1st year of service	16493	1248	17741
	2nd year of service	17671	1248	18919
	3rd year of service	18849	1248	20097
	4th year of service and thereafter	20027	1248	21275
Level 2 (as defined)	1st year of service	21205	1248	22453
	2nd year of service	22383	1248	23631
	3rd year of service and thereafter	23561	1248	24809
Level 3 (as defined)	1st year of service	24739	1248	25987
	2nd year of service	25328	1248	26576
	3rd year of service	25917	1248	27165
	4th year of service	26506	1248	27754
	5th year of service and thereafter	27095	1248	28343
Level 4 (as defined)	1st year of service	28273	1248	29521
	2nd year of service	28862	1248	30110
	3rd year of service	29452	1248	30700
	4th year of service	30040	1248	31288
	5th year of service and thereafter	30620	1248	31868
Level 5 (as defined)	1st year of service	31808	1248	33056
	2nd year of service	32397	1248	33645
	3rd year of service and thereafter	32986	1248	34234
Level 6 (as defined)	1st year of service	34164	1248	35412
	2nd year of service	34753	1248	36001
	3rd year of service and thereafter	35342	1248	36590

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

Level 7 (as defined)	1st year of service	36520	1248	37768
	2nd year of service	37698	1248	38946
	3rd year of service and thereafter	38876	1248	40124
Level 8 (as defined)	1st year of service	41232	1248	42480
	2nd year of service	42410	1248	43658
	3rd year of service and thereafter	43588	1248	44836
Level 9 (as defined)	1st year of service	45940	1248	47188
	2nd year of service and thereafter	47122	1248	48370
Level 10 (as defined)		49478	1248	50726
Level 11 (as defined)		51835	1248	53083
Level 12 (as defined)		55369	1248	56617

## **B. PROFESSIONAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

		Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1 (as defined)	1st year of service	25917	1248	27165
	2nd year of service	27684	1248	28932
	3rd year of service	29451	1248	30699
	4th year of service	31218	1248	32466
	5th year of service	32985	1248	34233
	6th year of service	34752	1248	36000
	7th year of service	36520	1248	37768
	8th year of service and thereafter	38287	1248	39535
Level 2 (as defined)	1st year of service	40054	1248	41302
	2nd year of service	41821	1248	43069
	3rd year of service and thereafter	43588	1248	44836

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

Level 3 (as defined)	1st year of service	45944	1248	47192
	2nd year of service	48300	1248	49548
	3rd year of service and thereafter	49478	1248	50726
Level 4 (as defined)	1st year of service	51834	1248	53082
	2nd year of service	53601	1248	54849
	3rd year of service and thereafter	55369	1248	56617
Level 5 (as defined)		60081	1248	61329

### **C. TECHNICAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

		Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1 (as defined)	1st year of service	20616	1248	21864
	2nd year of service	21205	1248	22453
	3rd year of service	21794	1248	23042
	4th year of service	22383	1248	23631
	5th year of service and thereafter	23561	1248	24809
Level 2 (as defined)	1st year of service	24739	1248	25987
	2nd year of service	25917	1248	27165
	3rd year of service	27095	1248	28343
	4th year of service	28273	1248	29521
	5th year of service and thereafter	29452	1248	30700
Level 3 (as defined)	1st year of service	30620	1248	31868
	2nd year of service	31808	1248	33056
	3rd year of service	32986	1248	34234
Level 4 (as defined)	1st year of service	34164	1248	35412
	2nd year of service	35342	1248	36590
	3rd year of service and thereafter	36520	1248	37768
Level 5 (as defined)		40054	1248	41302
Level 6 (as defined)		42410	1248	43658

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

#### **D. OPERATIONAL EMPLOYEES**

An employee appointed or promoted to a position within a level prescribed by this award shall be paid at the salary rate determined for that level by reference to the relevant classification standards as set out in Clause 7 - Definitions.

		Base Salary Per Annum \$	Safety Net Adjustment \$	Total Salary Per Annum \$
Level 1 (as defined)	1st 3 months of service	17671	1248	18919
	After first 3 months and for next 12 months	18378	1248	19626
Level 2 (as defined)	1st year of service	18407	1248	19655
	2nd year of service	18851	1248	20099
	3rd year of service and thereafter	19283	1248	20531
Level 3 (as defined)	1st year of service	19509	1248	20757
	2nd year of service	19784	1248	21032
	3rd year of service and thereafter	20179	1248	21427
Level 4 (as defined)	1st year of service	20586	1248	21834
	2nd year of service	20986	1248	22234
	3rd year of service and thereafter	21294	1248	22542
Level 5 (as defined)	1st year of service	21585	1248	22833
	2nd year of service	21882	1248	23130
	3rd year of service and thereafter	22354	1248	23602
Level 6 (as defined)	1st year of service	23561	1248	24809
	2nd year of service and thereafter	23981	1248	25229
Level 7 (as defined)	1st year of service and thereafter	24739	1248	25987
Level 8 (as defined)	1st year of service and thereafter	27095	1248	28343
Level 9 (as defined)	1st year of service and thereafter	29452	1248	30700
Level 10 (as defined)	1st year of service	31808	1248	33056

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

#### **E. MEAL CHARGES**

The maximum amount that shall be charged or deducted where an employee receives a meal from his/her employer shall be:-

Lunch or Evening Meal	Rate per Meal
Two or three courses	\$2.90
Single hot or cold main course	\$2.30
Single (other) course i.e. soup or sweet	\$2.10
All breakfasts	\$2.10

**PROVIDED** that -

- (i) A minimum charge of \$2.10 applies for each meal taken.
- (ii) In each case where a one, two or three course meal is ordered and charged for as above, no extra charge is to be levied for either beverages, toast, bread, butter or condiments.

#### **F. TOOL ALLOWANCE**

In addition to the wage rates prescribed in subclause 1 of this division the undermentioned classifications shall be paid the following tool allowance per week:

	\$
Carpenter	7.60
Painter	6.20
Fitter	6.20
Electrical Mechanic	6.20

**PROVIDED** that:

- (i) the employer shall provide a person employed as either an electrical mechanic or maintenance fitter with all hand, power or special tools necessary for the proper performance of such employee's duties.
- (ii) where an employer does not supply either an electrical mechanic or maintenance fitter with hand tools or where an employee is required to provide his own tools for use in the service of his/her employer he shall be paid a tool allowance in accordance with the above rates.

#### **G. REMOTE CALL ALLOWANCE**

The amount to be paid under the conditions prescribed in Clause 41 - Remote Call is 82.60 cents per hour.

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

## **H. 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:

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

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.

**This document is translated from the original order and is not in itself a legal document. No responsibility is taken for any discrepancy that may arise between this document and the order that was printed and published by the Printing Authority of Tasmania.**

(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 30 August 1996.

F.D. Westwood  
**PRESIDENT**

5 August 1996