

**TASMANIAN INDUSTRIAL COMMISSION**

**Industrial Relations Act 1984**

s.23 application for award or variation of award

**The Australian Workers' Union, Tasmania Branch**  
(T10799 of 2003)

**PASMINCO HOBART SMELTER ENTERPRISE AWARD**

**Award variation – wage rates and work related allowances – State Wage Case T3166 of 1991, T4692 of 1993, T5214 of 1994, T6284 of 1996, T6941 of 1997, T7702 of 1998, T8413 of 1999, T9062 of 2000, T9605 of 2001 and T10230 of 2002 - consent matter - application approved – award varied - operative date ffpp 28 April 2003**

**ORDER BY CONSENT -**

**No. 1 of 2003**

AMEND THE **PASMINCO HOBART SMELTER ENTERPRISE AWARD** IN THE FOLLOWING MANNER:

- 1. By deleting from Part III - Wages and Related Matters, Clause 1 – Wage Rates, and insert in lieu thereof the following:**

**"1. WAGE RATES**

The amounts set out hereunder shall be the minimum rates payable to adult employees therein named:

**DIVISION 1 - TRADES/TECHNICAL PERSONS**

	Base Rate \$	Safety Net Adjustment \$	Amount per week of 38 hours \$
Grade 1	458.90	108.00	566.90
Grade 2	481.15	106.00	587.15
Grade 3	496.20	106.00	602.20
Grade 4	512.60	104.00	616.60
Grade 5	535.25	106.00	641.25
Grade 6	557.40	106.00	663.40
Grade 7	573.90	106.00	679.90
Grade 8	594.40	106.00	700.40
Grade 9	614.90	106.00	720.90
Grade 10	635.40	106.00	741.40

**DIVISION 2 - PRODUCTION SERVICE PERSONS**

	Base Rate \$	Safety Net Adjustment \$	Amount per week of 38 hours \$
Grade 0	386.00	106.00	492.00
Grade 1	395.10	106.00	501.10
Grade 2	404.20	106.00	510.20
Grade 3	414.10	108.00	522.10
Grade 4	433.50	108.00	541.50
Grade 5	445.40	108.00	553.40
Grade 6	457.30	108.00	565.30
Grade 7	469.10	108.00	577.10

### **DIVISION 3 - APPRENTICES**

The minimum wage rates for apprentices shall be:

Four year term -

	% of Grade 1 Tradesman's Wage
First year	38
Second year	55
Third year	75
Fourth year	95

Apprentices will also receive a supplementary payment of \$31.20 per week."

**2. By deleting from Part III - Wages and Related Matters, Clause 3 – Service And Experience Payment, and insert in lieu thereof the following:**

**"3. SERVICE AND EXPERIENCE PAYMENT**

In addition to the wage rates prescribed in Part III, Clause 1 - Wage Rates, and allowances prescribed in Part IV, Clause 1 - Shift Allowance, Clause 2 - Tool Allowance, and Clause 3 - Direct Deposit Allowance, all employees mentioned herein shall, subject to continuous service, be paid the following amounts:

- (a) On completion of 26 weeks' service - \$4.20 per week extra.
- (b) On completion of 1 year's service - \$5.40 per week extra.
- (c) On completion of 2 years' service - \$12.40 per week extra.
- (d) On completion of 5 years' service - \$15.90 per week extra.
- (e) On completion of 10 years' service - \$30.40 per week extra.
- (f) On completion of 15 years' service and thereafter - \$31.80 per week extra.

Payment of the amounts prescribed shall be on the basis of a 38-hour week and when a greater or lesser number of hours than 38 are worked, payment shall be made pro rata to the hours worked.

Payments of the amounts prescribed shall continue to be made during periods of annual leave or other absences approved by the employer during which ordinary wages are paid.

Continuous service for the purpose of this clause means continuous service with the recognised employer in the industry for which this award is established."

- 3. By deleting from Part IV - Allowances, Clause 1 – Shift Allowance, and insert in lieu thereof the following:**

**“1. SHIFT ALLOWANCE**

- (a) Regular shift workers included in Part III, Clause 1, Divisions 1, 2 and 3 hereof shall be paid a shift allowance of \$2.13 per week of 38 hours. This allowance shall be taken into consideration in the computation of overtime and other penalty rates and shall be included in payments for leave entitlements.
- (b) Regular shift workers, whilst performing any afternoon or night shift or part thereof, shall receive an additional allowance at the rate of 15 percent of \$470.70 per week of 38 hours, less the sum of \$2.13 per week prescribed in subclause (a) of this clause. This additional allowance shall not be taken into consideration in the computation of overtime and other penalty rates but shall be included in payments for leave entitlements.”

- 4. By deleting from Part IV - Allowances, Clause 3 – Direct Deposit Allowance, and insert in lieu thereof the following:**

**“3. DIRECT DEPOSIT ALLOWANCE**

All employees whose wages are paid by direct deposit shall be paid a flat weekly allowance of 40 cents, such allowance to be compensation for Government charges imposed by financial institutions on account transactions.”

- 5. By deleting from Part IV - Allowances, Clause 4 – “A” Grade Licence, and insert in lieu thereof the following:**

**“4. “A” GRADE LICENCE**

Employees classified in Part III, Clause 1, Division 1 - Trades/Technical Persons who are holders of an 'A' Grade licence shall be paid an additional allowance of \$15.90 per week.”

- 6. By deleting from Part IV - Allowances, Clause 5 – Special Rates, and insert in lieu thereof the following:**

**"5. SPECIAL RATES**

(a) High Work

- (i) Employees engaged in the erection, repair and/or maintenance of plant buildings and structures at a height of 15 metres or more directly above the nearest horizontal plane shall be paid at the rate of \$2.12 per day in addition to their ordinary rates, provided always that this provision shall not apply to riggers, linesmen or to employees working on a swing scaffold and/or bosun's chair.
- (ii) Employees working on a swing scaffold and/or bosun's chair, irrespective of height, shall be paid at the rate of \$2.12 per day or shift in addition to their ordinary rates; provided always that this provision shall not apply to riggers.

(b) Hot Places

In addition to the wages prescribed in this award, the following special rates and allowances shall be paid for work in hot places. Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 46 and 54 degrees Celsius, 35 cents per hour extra. In places where the temperature exceeds 54 degrees Celsius, 44 cents per hour extra. Where the work continues for more than 2 hours in temperatures exceeding 54 degrees Celsius, employees shall also be entitled to 20 minutes rest after every 2 hours' work without deduction of pay. The temperatures shall be decided by the foreman of the work after consultation with the employees who claim the extra rate."

**OPERATIVE DATE**

This variation shall come into operation from the first full pay period to commence on or after 28 April 2003.

RJ Watling  
**DEPUTY PRESIDENT**

30 April 2003