

TASMANIAN INDUSTRIAL COMMISSION

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

Australian Municipal, Administrative, Clerical and Services Union
(T6392 of 1996)

TOTALIZATOR AGENCY AWARD

Award variation - third \$8 arbitrated safety net adjustment - consent matter - application granted - operative date ffpp 2.8.96

ORDER BY CONSENT -

No. 2 of 1996

AMEND THE TOTALIZATOR AGENCY AWARD IN THE FOLLOWING MANNER:

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

"8. WAGE RATES

DIVISION A - CASUAL STAFF

ADULTS

Adult employees classified hereunder shall be paid the rates of wage assigned to that classification.

	Base Rate	Safety net Adjustment	Weekly Wage Rate	Ordinary Time	Hourly Rate Time & One Half	Double Time
	\$	\$	\$	\$	\$	\$
Hobart Control Centre						
When in Sole Charge	434.20	24.00	458.20	14.47	20.50	26.53
All other times	387.30	24.00	411.30	12.99	18.39	23.80
Agency Supervisors						
(a) When in Sole Charge						
(i) District Centres & Grade I Agencies (including Hobart Telephone Betting)	417.90	24.00	441.90	13.95	19.77	25.59
(ii) All Other Agencies	387.30	24.00	411.30	12.99	18.39	23.80
(b) At Other Times						
(i) District Centres & Grade I Agencies	387.30	24.00	411.30	12.99	18.39	23.80
(ii) All Other Agencies	375.60	24.00	399.60	12.62	17.88	23.14
(c) Agency Supervisors who are appointed in sole charge of a branch or agency for a period in excess of two consecutive weeks whilst the manager or agent is absent, will be paid the minimum salary appropriate to such grade of agency for all time worked.						
All Other Operational Staff	363.20	24.00	387.20	12.23	17.32	22.42

Notwithstanding the above, all new staff undergoing training shall be paid at 70% of the normal rate for the first 20 hours of employment.

DIVISION B - ADMINISTRATIVE AND OTHER STAFF

1. ADULTS

Adult employees classified hereunder shall be paid within the minimum and maximum salaries per annum as set out hereunder:

		Base Rate Salary		Safety Net Adjustment	Salary Per Annum	
		Min. \$	Max. \$		Min. \$	Max. \$
A 1.	Administrative Officer	24740	26907	1248	25988	28155
A 2.	Accounts Supervisor	22665	24639	1248	23913	25887
A 3.	Accounts Clerk	19011	20901	1248	20259	22149
A 4.	Receptionist	19011	20901	1248	20259	22149
A 5.	Printing Clerk	19011	20901	1248	20259	22149
A 6.	Typist	19011	20901	1248	20259	22149
O 7.	Senior Programmer	33718	38545	1248	34966	39793
O 8.	Programmer	27757	31699	1248	29005	32947
O 9.	Graduate Programmer	24615	25782	1248	25863	27030
O 10.	Raceday Manager	28169	32185	1248	29417	33433
O 11.	Raceday Supervisor	25938	29464	1248	27186	30712
O 12.	Control Centre Supervisor	22468	24408	1248	23716	25656
O 13.	Marketing Manager	25717	29169	1248	26965	30417
O 14.	Senior Technician	27637	31537	1248	28885	32785
O 15.	Technician	25572	29018	1248	26820	30266
O 16.	Development Manager-Operations	25938	29464	1248	27186	30712
O 17.	Branch Manager (1)	22665	24639	1248	23913	25887
O 18.	Branch Manager (2)	22468	24408	1248	23716	25656
O 19.	Telephone Betting Manager	23647	25708	1248	24895	26956
O 20.	On-Course Manager/South	23647	25708	1248	24895	26956

KEY - A = Administrative Employees

O = Other Staff

2. JUNIOR CLERKS

The minimum salary per annum that shall be paid to junior clerks shall be the undermentioned percentage of the appropriate salary per annum for classification 6 hereof:

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

Review

The position of all officers in relation to the salary range shall be reviewed annually by the employer.

Should the review not be to the satisfaction of an employee, such employee shall have the right in the first instance to raise the matter with management and if not satisfied shall have the right to have the matter referred by the union for determination by the Tasmanian Industrial Commission.

3. TRAINEE CLERK (AS DEFINED)

The minimum weekly wage rate payable to a trainee clerk (as defined) shall be determined by the following method of calculation:

By taking the appropriate weekly wage rate for a junior clerk as prescribed in subclause 2 of this division then multiplying it by 39 and dividing it by 52. (39 being the actual number of weeks spent on the job)

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 Traineeships System Guidelines.

PROVIDED FURTHER that trainee clerk (as defined) wage rate shall be calculated in multiples of ten cents with any result of five cents or more being taken to the next ten cents.

DIVISION C - SUPPORTED WAGE SYSTEM

(a) Eligibility Criteria

Subject to this division 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 division 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 division 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 division:

'Supported Wage System' means the Commonwealth Government System to promote employment for people who cannot work at full award wages because of a disability.

'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.

'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.

'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 division 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 \$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 division, 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 division 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 division 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 division 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 \$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:

This variation shall come into operation from the first full pay period to commence on or after 2 August 1996.



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