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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

FIBREGLASS AND PLASTICS AWARD

ORDER BY CONSENT -

No. 3 of 2000

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THE **FIBREGLASS AND PLASTICS 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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Scope	2	
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Parental Leave	20	
Part A - Maternity Leave		
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Payment of Wages	21	
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2. By deleting Clause 7 - Definitions, and inserting in lieu thereof the following:

"7. DEFINITIONS

Classifications

**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 1
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding Adjustment - 78%)**

Undertaking up to 38 hours induction training which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow workers, training and career path opportunities, plant layout, work, equal employment opportunity and quality control/assurance.

An employee at this level performs routine duties essentially of a manual nature and to the level of their training:

1. Performs routine duties associated with the relevant manufacturing process including labouring and cleaning duties;
2. Exercises minimal judgement;
3. Workers under direct supervision in the following functions:
 - * housekeeping duties;
 - * assisting machine operators;
 - * perform basic test functions;
 - * operate hand operated transport and lifting devices;
 - * uses selected hand tools; or
 - * maintains simple records.
4. Is undertaking structured training so as to enable them to work at the Manufacturing/Production Employee Level 2 level.

Promotional Criteria:

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level.

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**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 2
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and
Broadbanding Adjustments - 82%)**

An employee who has completed up to three months structured training so as to enable the employee to perform work within the scope of this level.

An employee at this level performs work above and beyond the skills of an employee at Manufacturing/Production Employee Level 1 level or has completed an Australian Traineeship System traineeship.

1. Works under direct supervision either individually or in a team environment.
2. Understands and undertakes basic quality control/assurance procedures including the ability to recognise basic quality deviation/faults.

Indicative of the tasks which an employee, at this level may perform are the following:

- * Repetition work on automatic, semi-automatic or single purpose machines or equipment;
- * Assembles components using basic written spoken and/or diagrammatic instructions in an assembly environment;
- * ability to measure accurately using gauges and meters;
- * maintains records;
- * operate slitting and/or cutting machine;
- * operate machinery that requires basic set up skills;
- * operate automatic and manual press machines;
- * assistant laminator.

Promotional Criteria:

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level as a position becomes available.

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**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 3
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and
Broadbanding Adjustments - 87.4%)**

An employee at this level performs work above and beyond the skills of an employee at Manufacturing/Production Employee Level 2 and to the level of their training for this level including appropriate certification.

1. Is responsible for the quality of their own work subject to routine supervision.
2. Works under routine supervision either individually or in a team environment.
3. Exercises discretion within their level of skills and training.

Indicative of the tasks which an employee at this level may perform are the following:

- * operates with flexibility between assembly/process stations;
- * operates machinery and equipment requiring the exercise of skill, knowledge and discretion beyond that of an employee at level Manufacturing/Production Level 2;
- * basic tracing and sketching skills;
- * receiving, despatching, distributing, sorting, checking, packing (other than repetitive packing in a standard container or containers in which such goods are ordinarily sold), documenting and recording of goods, materials and components;
- * basic inventory control in the context of a production process;
- * basic keyboard skills;
- * operation of mobile equipment including forklifts, hand trolley, pallet trucks overhead cranes;
- * ability to measure accurately using gauges and meters;
- * maintains records;
- * operates mixing and milling machines that duties require set up and operating skills.
- * cleaning duties involving fuse removal, use of chemicals, sewing the premises.

Promotional Criteria:

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level as a position becomes available.

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**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 4
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and
Broadbanding adjustments - 92.4%)**

An employee at this level performs work above and beyond the skills of an employee at Manufacturing/Production Employee Level 3 to the level of their training for this level including appropriate certification.

1. Works from complex instructions and procedures and exercises discretion within the limit of their skills.
2. Assists in the provision of on-the-job training to a limited degree.
3. Co-ordinates work in a team environment or works individually under general supervision.
4. Is responsible for assuring the quality of their own work.

Indicative of the tasks which an employee at this level may perform are the following:

- * uses precision measuring instruments;
- * maintains records;
- * machine setting, die setting, loading and operation;
- * inventory and store control including:
 - licensed operation of all appropriate materials handling equipment;
 - use of tools and equipment within the scope (basic non-trades) maintenance;
 - computer operation at a level higher than that of an employee at Manufacturing/Production Employee Level 3 level;
- * intermediate keyboard skills;
- * basic engineering and fault finding skills;
- * performs basic quality checks on the work of others;
- * licensed and certified for forklift and crane driving operations to a level higher than Manufacturing/Production Employee Level 3 level;
- * has a knowledge of the employers' operation as it relates to production process;
- * may perform quality control; inspections;
- * operators of calendar, multi-headed extruders, mixing and milling machines that duties require significant set up and operating skills.

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Promotional Criteria:

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the tasks required of this function so as to enable them to progress to the next level as a position becomes available.

**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 5
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 97%)**

An employee at this level performs work above and beyond the skills of an employee at Manufacturing/Production Employee Level 4 level and to their training for this level including appropriate certification.

1. Able to work from complex instructions and procedures.
2. Able to co-ordinate work in a team environment under general supervision.
3. Assists in the provision of on-the-job training.
4. Responsible for checking quality of their own work.
5. Exercise discretion within the scope of this grade.
6. Exercise keyboard skills a level higher than Manufacturing/Productions Employee Level 4.
7. Performs work under general supervision either individually or in a team environment.

Indicative of the tasks which an employee at this level may perform are as follows:

- * approved and passes first off sample and maintains quality of product;
- * works from production drawings, prints or plants;
- * uses precision measuring instruments;
- * complex machine and die setting, loading, testing and operation;
- * operate all lifting equipment;
- * operates, sets up and adjusts all production machinery in a plant including production process welding to the extent of training;
- * inventory of store control including:
 - licensed operation of all appropriate materials handling equipment;

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- use of tools and equipment within the scope (basic non-trades) maintenance;
- computer operation at a level higher than that of an employee at Manufacturing/Production Employee Level 4 level;
- * intermediate keyboard skills;
- * basic engineering and fault finding skills;
- * licensed and certified for forklift and crane driving operations to a level higher than Manufacturing/Production Employee Level 4 level;
- * has a knowledge of the employer's operation as it relates to production process;
- * supervise, perform and implement quality control functions;
- * supervise and perform operations on calendar, mixing and milling machines;
- * maintains records.

Promotional Criteria:

An employee remains at this level until they are capable of effectively performing through assessment or appropriate certification the task required of this functions so as to enable them to progress to the next level as a position becomes available.

**MANUFACTURING/PRODUCTION EMPLOYEE LEVEL 6
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 100%)**

An employee at this level performs work above and beyond the skills of an employee at Manufacturing/Production Employee Level 5 level and to the level of their training, applies the skills acquired through the successful completion of a certificate level or equivalent qualification in the production, distribution, or stores functions accordingly to the needs of the enterprise.

1. Understands and applies quality control techniques.
2. Exercise good interpersonal communications skills.
3. Exercise discretion within the scope of this grade.
4. Exercise keyboard skills at a level higher than Manufacturing/Production Employee Level 5.
5. Performs work under general supervision either individually or in a team environment.

Indicative of the tasks which an employee at this level may perform are as follows:

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- * approves and passes first off samples and maintains quality of product;
- * works from production drawings, prints or plans;
- * operates, sets up and adjusts all production machinery in a plant including production process welding to the extent of training;
- * can perform a range of engineering maintenance functions;
- * manufacturing operations at a level higher than Manufacturing/Production Employee Level 5;
- * operate all lifting equipment;
- * maintains records;
- * basic production scheduling and materials handling within the scope of the production process or directly related functions within raw materials/finished goods locations;
- * understands and applies computer techniques as they relate to production process operations;
- * high level stores and inventory responsibility beyond the requirements of an employee at Manufacturing/Production Employee Level 5;
- * assists in the provision of on the job training in conjunction with trades persons and trainers;
- * has a sound knowledge of the employers operations as it relates to the production process.

TRADESPERSON LEVEL 1

(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 100%)

A Tradesperson Level 1 is an employee who holds a Trade Certificate or Tradesperson Rights Certificate and is able to exercise the skills and knowledge of that trade.

A Tradesperson Level 1 employee works above and beyond an employee at Manufacturing/Production Employee Level 5 and to the level of their training.

1. Understands and applies quality control techniques.
2. Exercises good interpersonal and communication skills.
3. Exercises keyboard skill at a level higher than Manufacturing/Production Employee Level 5.
4. Exercises discretion within the scope of this grade.

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5. Performs work under limited supervision either individually or in a team environment.
6. Operate all lifting equipment incidental to their work.
7. Perform non-trade tasks incidental to their work.
8. Performs work which, while primarily involving the skills of the employees own trade, is incidental or peripheral to the primary task and facilitates the completion of the whole task. Such incidental or peripheral work would not require additional formal technical training.

TRADESPERSON LEVEL 2

(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 105%)

An Engineering Tradesperson Level 2 is an employee who has completed the following training requirement:

- (i) 33 per cent of the modules towards an appropriate Post Trade Certificate;
- (ii) or x percentage of modules towards an Advanced Certificate;
- (iii) or y percentage of modules towards an Associate Diploma.

An Engineering Tradesperson Level 2 works above and beyond a Tradesperson at Tradesperson Level 1 and to the level of their training:

1. Exercise the skills attained through satisfactory completion of the training prescribed for this classification subject to the standards prescribed.
2. Exercises discretion within the scope of the grade.
3. Works under general supervision either individually or in a team environment.
4. Understands and implements quality control techniques.
5. Provide trade guidance and assistance as part of a work team.
6. Exercises trade skills relevant to the specific requirements of the enterprise at a level higher than Engineering Tradesperson Level 1.
7. Tasks which an employee at this level may perform are subject to the employee having the appropriate trade and post-trade training to enable them to perform such tasks.

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TRADESPERSON LEVEL 3

(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 110%)

Tradesperson Level 3 is an employee who has completed the following training requirements:

- (i) 66 per cent of the modules towards an appropriate Post Trade Certificate;
- (ii) or x percentage of modules towards an Advanced Certificate;
- (iii) or y percentage of modules towards an Associate Diploma.

An employee at this level works above and beyond an employee at Tradesperson Level 2 level and to the level of their training:

1. Is able to exercise the skills attained through satisfactory completion of the training prescribed for this classification subject to the standards prescribed.
2. Provides trade guidance and assistance as part of a work team.
3. Assists in the provision of training in conjunction with supervisors and trainers.
4. Understands and implements quality control techniques.
5. Work under limited supervision either individually or in a team environment.

The following indicative tasks which an employee at this level may perform are subject to the employee having the appropriate trade and post-trade training to enable them to perform particular indicative tasks:

- * exercises high precision trade skills using various materials and/or specialised techniques;
- * performs operations on a CAD/CAM terminal in the performance of routine modifications to NC/CNC programmes;
- * Install, repair, and maintain, test, modifies, commissions and/or faults finds on complex machinery and equipment which utilises hydraulic and/or pneumatic principles and in the course of such work is required to read and understand hydraulic and pneumatic circuitry which controls fluid power systems;
- * works on complex or intricate circuitry which involves examining, diagnosing and modifying systems comprising interconnected circuits.

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**TRADESPERSON SPECIAL CLASS LEVEL
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 115%)**

A Tradesperson Special Class Level means an employee who has completed the following training requirements:

- (i) an appropriate Post Trade Certificate;
- (ii) or x percentage of modules of an Advanced Certificate;
- (iii) or y percentage of modules towards an Associate Diploma.

A Tradesperson Special Class works above and beyond a Tradesperson Level 3 and to the level of their training:

1. Exercises the skills attained through satisfactory completion of the training prescribed for this classification subject to the standards prescribed.
2. Is able to provide trade guidance and assistance as part of a work team.
3. Provides training in conjunction with supervisors and trainers.
4. Understands and implements quality control techniques.
5. Works under limited supervision either individually or in a team environment.

The following indicative tasks which an employee at this level may perform are subject to the employee having appropriate trade and post-trade training to enable the employee to perform the particular indicative task:

- * working on machines or equipment which utilise complex mechanical or hydraulic and/or pneumatic circuitry and controls or a combination thereof;
- * working on machines or equipment which utilise complex electrical/electronic circuitry and controls or a combination thereof;
- * works on instruments which make up a complex control system which utilises some combination of electrical/electronic, mechanical or fluid power principles;
- * applies advanced computer numerical control techniques in machining or cutting or welding or fabrication;
- * exercises intermediate CAD/CAM skills in the performance of routine modifications to programmes;
- * working in complex or intricate interconnected electrical circuits.

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**ADVANCED TRADESPERSON LEVEL 1
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustments - 125%)**

An Advanced Tradesperson Level 1 means an employee who has completed:

- * x modules of an Advanced Certificate;
- * or seven modules of an Associate Diploma;
- * or equivalent accredited training.

An Advanced Tradesperson Level 1 works above and beyond a Tradesperson Special Class Level and the level of their training:

1. Undertakes quality control and work organisation at a level higher than for Tradesman - Special Class Level.
2. Provides trade guidance and assistance as part of a work team for grades below.
3. Assists in the provision of training to employees in conjunction with supervisors/trainers.
4. Performs maintenance planning and predictive maintenance work not in technical fields.
5. Works under limited supervision either individually or in a team environment.
6. Prepares reports of a technical nature on specific tasks or assignments as directed.
7. Exercises broad discretion within the scope of this level.

The following indicative tasks which an employee at this level may perform are subject to the employee having appropriate trade and post-trade training to enable the employee to perform the particular indicative task:

- * working on combination of machines or equipment which utilise complex electrical or electronic or mechanical or fluid power principles;
- * working on instruments which make up a complex control system which utilise some combination of electrical or electronic or mechanical or fluid power principles;
- * applies computer integrated manufacturing techniques involving a higher level of computer operating and programming skills than for lower grades;
- * working on various forms of machinery and equipment which are electronically controlled by complex digital and/or analogue control system using integrated circuitry.

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**ADVANCED TRADESPERSON LEVEL 2
(% Wage relativity to Tradesperson Level 1 after Minimum Rate and Broadbanding adjustment - 130%)**

An Advanced Tradesperson Level 2 means an employee who has completed:

- (i) y modules of an Associate Diploma; or
- (ii) equivalent level of accredited training; and
- (iii) provides technical guidance within the scope of this level.

An Advanced Tradesperson Level 2 works above and beyond a Tradesperson at Advanced Tradesperson Level 1 level and to the level of their training:

1. Provides technical guidance within the scope of this level.
2. Prepares reports of a technical nature on specific tasks assignment as directed and within the scope of discretion at this level.
3. Has an overall understanding of the operating principle of the system and equipment on which the tradesperson is required to carry out their tasks.
4. Assists in the provision of on-the-job training in conjunction with supervisors and trainers.

The following indicative tasks which an employee at this level may perform are subject to the employee having appropriate trade and post-trade training to enable the employee to perform the particular indicative task:

- * through a system approach able to exercise high level diagnostic skills on complex forms of machinery, equipment and instrument which utilise some combination of electrical, electronic, mechanical or fluid power principles;
- * set up, commission maintain and operate sophisticated maintenance, production and test equipment and/or systems involving the application of computer operating skills at a higher level than Advanced Tradesperson Level 1.
- * works on various forms of machinery and equipment electronically controlled by complex digital and/or analogue control systems using integrated circuitry.
- * working on complex electronics or instruments or communications equipment or control system which utilise electronic principles and electronic circuitry containing complex analogue and/or digital control system using integrated circuitry.

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General

'Show Day' means not more than one local Show Day observed on an employee's ordinary working day, other than a Saturday or 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 11 paid public holidays per year."

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

"8. WAGE RATES

1. WAGE RATES

Adult employees shall be paid in accordance with the following classification structure which shall be read in conjunction with the classification definitions contained in Clause 7 - Definitions:

Classification	Base Rate Relativity %	Base Rate \$	Safety Net Adjustment \$	Weekly Wage Rate \$
Manufacturing/Production Employee Level 1	78	325.50	75.00	400.50
Manufacturing/Production Employee Level 2	82	342.10	75.00	417.10
Manufacturing/Production Employee Level 3	87.4	364.60	75.00	439.60
Manufacturing/Production Employee Level 4	92.4	385.50	75.00	460.50
Manufacturing/Production Employee Level 5	97	404.70	75.00	479.70
Manufacturing/Production Employee Level 6	100	417.20	75.00	492.20
Tradesperson Level 1	100	417.20	75.00	492.20
Tradesperson Level 2	105	438.10	75.00	513.10
Tradesperson Level 3	110	458.90	75.00	533.90
Tradesperson Special Class	115	479.80	73.00	552.80

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Advanced Tradesperson Level 1	125	521.50	71.00	592.50
Advanced Tradesperson Level 2	130	542.40	71.00	613.40

2. CLASSIFICATION STRUCTURE - TRANSLATION SCHEDULE

- (a) For the purpose of identifying an employees new classification in accordance with the creation of a new broadly based and generic classification structure the following schedule shall apply:

<u>Pre-existing Classification</u>	<u>New Classification</u>
Tradesman	Tradesperson Level 1
Laminator	Manufacturing/Production Employee Level 3
Mixer	Manufacturing/Production Employee Level 3
Mixer's Assistant	Manufacturing/Production Employee Level 2
Labourer	Manufacturing/Production Employee Level 1
Heavy Machine Operator	Manufacturing/Production Employee Level 3
Light Machine Operator	Manufacturing/Production Employee Level 2
Fitter	Tradesperson Level 1
Cleaner	Manufacturing/Production Employee Level 3

PROVIDED that employees who, prior to the first full pay period commencing on or after 18 July 1991, are in receipt of wage rates in excess of those herein prescribed shall not have their wage rate reduced as a result of the making of this new award and the translation process.

- (b) The parties to the award shall co-operate in the translation from the old structure to the new structure. In the event of any disagreement the matter shall be referred to the Tasmanian Industrial Commission for determination.

3. APPRENTICES

The minimum weekly wage rate to be paid by employers to apprentices shall be the undermentioned percentages of the Tradesperson Level 1 rate of wages appearing in subclause 1 - Wage Rates.

	Percentage of Tradesperson Level 1 Rate %
First year	38
Second year	55
Third year	72

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Fourth year

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4. JUNIORS

The minimum weekly wage rate to be paid by employers to junior workers shall be the undermentioned percentages of the weekly wage rate appearing in subclause 1 - Wage Rates of this clause for the classification Manufacturing/Production Employee Level 2.

	Percentage of Manufacturing/Production Employee Level 2 Rate %
Under 17 years of age	65
17 Years of age to 18 years of age	75
18 years of age to 19 years of age	85
19 years of age to 20 years of age	100

5. LEADING HANDS

(a) In charge of 1 to 3 employees	\$10.90 per week extra
(b) In charge of 4 to 6 employees	\$14.00 per week extra
(c) In charge of 7 to 9 employees	\$16.70 per week extra
(d) In charge of more than 9 employees	\$19.50 per week extra

6. 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.

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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 Section10 or under Section12A 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.

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(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.

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.

(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."

4. By deleting Clause 30 - Traineeships.

5. By renumbering Clause 31 - Training, to Clause 30 - Training.

Operative Date

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

Tim Abey
COMMISSIONER

27 September 2000