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TASMANIAN INDUSTRIAL COMMISSION

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

Southern Regional Cemetery Trust
(T6167 of 1996)

SOUTHERN REGIONAL CEMETERY TRUST STAFF AWARD

COMMISSIONER RJ WATLING

HOBART, 13 May 1996

Award variation – wage rates – appendix – National Training Wage – application granted – operative date 6/5/96

ORDER BY CONSENT –

No. 2 of 1996
(Consolidated)

A NEW CLAUSE IS SUBSTITUTED FOR CLAUSE 8 OF THIS AWARD AND AN APPENDIX ADDED TO THE AWARD, AND THE AWARD IS CONSOLIDATED:

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1. TITLE

This award shall be known as the "Southern Regional Cemetery Trust Staff Award".

2. SCOPE

Subject to the exceptions and conditions contained herein, this award shall apply to all persons employed under the provisions of the Southern Regional Cemetery Act 1981 who, being an employee within the meaning of Part V of the Public Service Act 1973.

3. ARRANGEMENT

<u>SUBJECT MATTER</u>	<u>CLAUSE NO.</u>
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4. DATE OF OPERATION

This award shall come into operation from 6 May 1996.

PROVIDED that it is a term of this award (arising from the decision of the Tasmanian Industrial Commission in the State Wage Case of 13 August 1991) that the union(s) undertake(s), until 30 November 1991, not to pursue any extra claims, award or overaward, except when consistent with those principles.

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5. SUPERSESION AND SAVINGS

This award incorporates and supersedes No. 1 of 1996 (Consolidated).

PROVIDED that no right, obligation or liability incurred or accrued under any of the abovementioned provisions shall be affected by the replacement and supersession.

PROVIDED ALWAYS the provisions of the relevant Act or Instrument under or by virtue of which they are appointed, or as prescribed by the Regulations, Rules, By-laws, or Instructions made under such Act or Instrument, whichever are applicable, shall continue to apply to the officers or classes of officer covered by this award as and where such Act, Instrument, Regulations, Rules, By-laws or Instructions save insofar as the salary to be received by, and the conditions of service of such officers or classes of officer are inconsistent with the provisions of this award, BUT no right, obligation or liability already accrued or incurred under such Act, Instrument, Regulations, Rules, By-laws, or Instructions shall hereby be affected.

6. PARTIES AND PERSONS BOUND

This award shall apply to and be binding upon:-

- (a) all employees (whether members of a registered organisation or not) for whom classifications appear in this award.
- (b) the following organisation of employees in respect of whom award interest has been determined:-

The State Public Services Federation Tasmania and the Officers of that organisation and their members for whom classifications appear in this award.

- (c) the Southern Regional Cemetery Trust in relation to all employees for whom classifications appear in this award, whether members of a registered organisation or not.

7. DEFINITIONS

In this award, unless the contrary intention appears:-

- (a) **'Officer'** means a person permanently or temporarily employed under the provisions of the Southern Regional Cemetery Act 1981 who, being an employee within the meaning of Part V of the Public Service Act 1973, on the date upon which this award comes into force, occupies a position covered by this award, or who after that date is appointed to one of such positions.
- (b) **'Adult Officer'** means an officer who is 21 years of age or over.

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- (c) **'Clerical Officer or Administrative Officer'** means an officer holding a position, the duties of which are, in the opinion of the controlling authority, either of a clerical or administrative nature.
- (d) **'Junior Officer'** means an officer who is under the age of 21 years.

8. SALARIES

An employee appointed or promoted to a position classified or graded within a class or grade prescribed by this award shall, subject to satisfying the prescribed requirements, be paid at the salary rate determined for the relevant classification as hereinafter set forth.

PROVIDED that an employee paid in accordance with the rates established for persons under 21 years of age in Class I of a classification contained in this award shall on being promoted to a classification above Class I be paid at the rate prescribed for the position to which they have been appointed.

PROVIDED ALWAYS that an employee under 21 years of age with dependants may, on the determination of the controlling authority, be paid the salary he/she would normally receive on attaining the age of 21 years.

For the purposes of this proviso, a "dependent" in relation to an employee means:-

- (a) in the case of a relative of that employee, a person who resides with that employee; and
- (b) in any other case, a person who has resided with that employee for a period of at least 12 months and who is wholly or substantially dependent on that employee for financial support;
- (c) **'relative'** as referred to in paragraph (a) above means spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant, adopted child and foster child of the employee's spouse.

A. Administrative and Clerical Officer

Class I	Percentage	Salary Per Annum \$
16 years and under	55%	10671
17 years	63%	12223
18 years	73%	14163
19 years	84%	16298
20 years	93%	18044

The above percentages shall be of an Administrative and Clerical Employee, Class I, 21 years and over, 1st year of service, as appearing in this subclause of this award.

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21 years and over

1st year of service	19402
2nd year of service	19904
3rd year of service	20400
4th year of service	20911
5th year of service	21440
6th year of service	21951
7th year of service and thereafter	22519

Class II

1st year of service	23356
2nd year of service	24082
3rd year of service	24797

Class III

1st year of service	25517
2nd year of service and thereafter	26236

Class IV

1st year of service	26944
2nd year of service and thereafter	27656

Class V

1st year of service	28216
2nd year of service and thereafter	28844

Class VI

1st year of service	29441
2nd year of service	30043
3rd year of service and thereafter	30640

Class VII

1st year of service	31246
2nd year of service	32001
3rd year of service and thereafter	32748

Class VIII

1st year of service	33496
2nd year of service	34101
3rd year of service and thereafter	34853

Class IX

1st year of service	35450
2nd year of service	36210
3rd year of service and thereafter	36955

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Class X	
1st year of service	37705
2nd year of service and thereafter	38455

**B. Office Assistant
 Typist
 Stenographer
 Machinist
 Audio Typist
 Keyboard Operator
 Secretarial Assistant
 Typist-in-Charge
 Machinist-in-Charge
 Keyboard Supervisor**

	Percentage	Salary Per Annum \$
Class I		
Grade 1		
16 years and under	55%	10467
17 years	63%	11989
18 years	73%	13892
19 years	84%	15985
20 years	93%	17698

The abovementioned percentages shall be of a Class I, Grade 1, 21 years and over salary, as appearing in this subclause of this award.

21 years and over	19030
Grade 2	19281
Grade 3	19531

PROVIDED that an employee classified as a stenographer shall on exceeding 20 years of age be entitled to commence on the salary established in this award at Class I, Grade 2 level.

PROVIDED ALWAYS that an employee paid in accordance with rates prescribed for employees not exceeding 20 years of age in Class I of this award shall be entitled to the following allowances:-

- (i) an employee who is a typist who has satisfactorily passed a speed test in stenography at one or other of the speeds undermentioned, shall be paid a proficiency allowance at the rate of:-
 - (a) 80 words per minute - \$426 per annum
 - (b) 100 words per minute - \$848 per annum
 - (c) 120 words per minute - \$1276 per annum

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- (ii) an employee who is a typist who has satisfactorily passed a typewriting test at one or other of the speeds undermentioned, shall be paid a proficiency allowance at the rate of:-
 - (a) 40 words per minute - \$331 per annum
 - (b) 50 words per minute - \$426 per annum

- (iii) an employee who is a machinist who has satisfactorily passed an approved efficiency test in machine operation in the full range of the machine or machines such employee is required to operate, shall be paid a proficiency allowance at the rate of:-
 - (a) one class of machine with up to 10 programmes, functions or systems - \$426 per annum
 - (b) one class of machine with more than 10 programmes, functions or systems, or a group of machines with more than 10 programmes, functions or systems - \$848 per annum

- (iv) an employee who is a typist who is regularly employed on audio work or relieves in that capacity shall be paid at the rate of:-
 - (a) up to 2 years experience on reel-to-reel or cassette type recorders - \$640 per annum
 - (b) over 2 years experience on reel-to-reel or cassette type recorders - \$1276 per annum

PROVIDED that the proficiency allowance more particularly set forth in either provisos (i), (ii), (iii) or (iv) hereof shall, in each case be in substitution for and not cumulative one upon the other.

Class II	
Grade 1	19777
Grade 2	20025
Grade 3	20271
Grade 4	20521
 Class III	
Grade 1	20788
Grade 2	21045
Grade 3	21305
Grade 4	21569
 Class IV	
	21824
 Class V	
Grade 1	22085
Grade 2	22599

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Class VI	
Grade 1	23770
Grade 2	24555
Class VII	
Grade 1	24946
Grade 2	25344
Class VIII	25738

PROVIDED that -

- (i) an officer who is a typist shall not be promoted or progress beyond Class I, Grade 2 unless she has satisfactorily passed a typing test of 40 words per minute;
- (ii) an officer who is a typist appointed to a Class I position who has passed a typing test of 50 words per minute shall be paid, in addition, an allowance of \$214 per annum;
- (iii) an officer who is a typist shall not be appointed to a position classified above Class III, Grade 3 unless she has passed a typing test of 50 words per minute;
- (iv) an officer shall not be appointed as a stenographer unless she has passed a stenography test of 80 words per minute.
- (v) an officer classified to a position up to and including Class II, Grade 2 who has satisfactorily passed a stenography test shall be paid either of the allowances which follow:-
 - (a) for 100 words per minute - \$426 per annum
 - (b) for 120 words per minute - \$640 per annum;
- (vi) no stenographer shall be appointed to a position classified above Class III, Grade 1 unless having first passed a stenography test of 100 words per minute;
- (vii) a machinist who has served for twelve months on the maximum of Class II, Grade 1 may progress grade by grade to Class III, Grade 2 subject to a certificate by the Head of the Department, and with the concurrence of the controlling authority, that that officer will be required to undertake the duties of an officer of that class;
- (viii) except in the case of Secretarial Assistant, no officer shall be appointed above Class IV unless required to permanently supervise the work of other staff;

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- (ix) except where special circumstances exist, an officer required to permanently supervise the work of 2 to 4 other persons shall not be classified above Class V.

PROVIDED FURTHER that the proficiency allowances more particularly set forth in either provisos (ii) or (v) above shall, in each case, be in substitution for and not cumulative one upon the other.

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 subclause (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 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 division:

- (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.

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(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 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.

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- (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 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.

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- (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 subclause (c) hereof.

D. Trainees

The employer may engage employees as trainees, subject to the provisions outlined in the Appendix to this award.

9. ALLOWANCES

The following allowances will be paid in accordance with the General Conditions of Service Award:

- (a) Recreation Leave Allowance;
- (b) Overtime;
- (c) Rest Period after Overtime and Meal Allowances;
- (d) Travel accommodation, meal and kilometreage allowances;
- (e) Higher and More Responsible Duties Allowance.

10. DEDUCTIONS FROM SALARIES

Until otherwise determined by the Tasmanian Industrial Commission, deductions from salaries or wages on account of quarters, fuel, light, power, board and other facilities and amenities provided for officers covered by this award, and the rates of those deductions, and the basis on which they shall be calculated, shall be in accordance with the terms and conditions for the time being prescribed by the relevant Act or Instrument under or by virtue of which they are appointed, or as prescribed by the Regulations, Rules, By-laws or Instructions made under such Act or Instrument, whichever are applicable.

11. HOURS OF DUTY

Until otherwise determined by the Tasmanian Industrial Commission, the ordinary hours of duty of officers (exclusive of meal periods) and the times within which such hours shall be worked shall be in accordance with the hours of duty for the time being prescribed by the relevant Act or Instrument under or by virtue of which they are appointed or as prescribed by the Regulations, Rules, By-laws or Instructions made under such Act or Instrument, whichever are applicable.

PROVIDED that in no case shall such ordinary hours of work be less than 36 and three-quarter hours weekly.

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12. NEW APPOINTMENTS AND PROMOTIONS

The commencing salary of a person or officer either on first appointment or on promotion to a position within a class or grade of a classification in respect of which salary scales are prescribed by this award, shall be the minimum salary for that position on the appropriate scale, except in any case where, in the opinion of the controlling authority, the qualifications and the practical experience of such person or officer in the appropriate field, justify a higher salary.

13. OPERATION OF NEW AWARD

No officer shall have his salary reduced by virtue of the operation of this award.

14. SALARY INCREMENTS

- (a) Except where otherwise determined by this award, or where inconsistent with any Act, an officer while holding a position classified or graded within a class or grade in respect of which a salary scale is prescribed by this award, and who for not less than twelve months has been in receipt of a salary less than the maximum salary prescribed for such classification, shall be entitled to receive the annual increment prescribed for such classification until the maximum salary is reached.

PROVIDED that an officer who was an officer on the date of this award shall be entitled to receive such increment on the anniversary of the date upon which he received his last salary increment in respect of his present position.

- (b) An officer whilst continuing to hold the same office or position shall, unless the controlling authority otherwise determines, be deemed, for the purposes of this clause, to have been in receipt of a salary during any period of leave without pay in the twelve months immediately following the date upon which his previous salary increment was awarded.
- (c) Notwithstanding anything contained in this award, no officer shall be entitled to receive any increase in salary by virtue of this clause unless, in the opinion of the controlling authority his conduct, diligence and efficiency during the twelve months immediately prior to the date from which such increase would be payable shall have been satisfactory.

R.J. Watling
COMMISSIONER

13 May 1996

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APPENDIX

1. TITLE

This appendix shall be known as the "Southern Regional Cemetery Trust National Training Wage Appendix 1996" (hereinafter called the "appendix").

2. SCOPE

Subject to the exceptions and conditions contained herein, this appendix shall apply to all persons who occupy a position in an approved traineeship scheme.

3. ARRANGEMENT

This appendix shall be arranged as follows:

<u>SUBJECT MATTER</u>	<u>CLAUSE NO.</u>
Title	1
Scope	2
Arrangement	3
Parties and Persons Bound	4
Application	5
Objective	6
Supersession	7
Definitions	8
Training Conditions	9
Employment Conditions	10
Wages	11
Duration	12
No Precedent	13

4. PARTIES AND PERSONS BOUND

This appendix shall be binding on:

- (a) the Southern Regional Cemetery Trust, hereinafter called the "employer".
- (b) all employees (whether members of a registered organisation or not) who occupy a position in an approved Traineeship Scheme.
- (c) The Community & Public Sector Union (State Public Services Federation Tasmania), hereinafter called the "union".

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5. APPLICATION

- (a) Subject to subclause (b) of this clause, this appendix shall apply to persons who are undertaking a traineeship (as defined); and who are employed by the Southern Regional Cemetery Trust.
- (b) This appendix shall not apply to employees who were employed prior to the date of approval of a traineeship scheme relevant to the employer, except where agreed between the employer and the union.
- (c) This appendix does not apply to apprenticeships.
- (d) At the conclusion of the traineeship, this appendix ceases to apply to any future employment of the trainee.

6. OBJECTIVE

The objective of this appendix is to assist in the establishment of a system of traineeships which provides approved training in conjunction with employment in order to enhance the skill levels and future employment prospects of trainees particularly young people and the long term unemployed. The system is neither designed nor intended for those who are already trained and job ready. It is not intended that existing employees shall be displaced from employment by trainees.

7. SUPERSESSION

Any existing award/agreement provisions for the Australian Traineeship System (ATS) or the Career Start Traineeship (CST) shall not apply except in relation to ATS or CST trainees who commenced a Traineeship with the employer before the employer was bound by this appendix.

8. DEFINITIONS

For the purposes of this appendix the following terms shall mean:

'Approved training' means training undertaken (both on or off the job) in a traineeship and shall involve formal instruction both theoretical and practical, and supervised practice in accordance with a traineeship scheme approved by the Tasmanian State Training Authority. The training will be accredited and lead to qualifications as set out in Clause 9(e) of this appendix.

'Trainee' means an employee employed under the provisions of the Southern Regional Cemetery Trust Staff Award and who is bound by a traineeship agreement made in accordance with this appendix.

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'Traineeship' means a system of training which has been approved as such by the Tasmanian State Training Authority.

'Traineeship agreement' means an agreement made between the employer and the trainee for a traineeship and which is registered with the Tasmanian State Training Authority. A traineeship agreement shall be made in accordance with the traineeship scheme and shall not operate unless this condition is met.

'Traineeship scheme' means and approved traineeship applicable to a group or class of employees employed under the Southern Regional Cemetery Trust Staff Award. A traineeship scheme shall not be given approval unless consultation and negotiation with the union upon the terms of the proposed traineeship scheme and the traineeship have occurred. An application for approval of a traineeship scheme shall identify the union and demonstrate to the satisfaction of the Tasmanian State Training Authority that the above-mentioned consultation and negotiation have occurred. A traineeship scheme shall include a standard format to be used for a traineeship agreement.

'Parties to a traineeship scheme' means the employer and the union involved in the consultation and negotiation required for the approval of a traineeship scheme.

9. TRAINING CONDITIONS

- (a) The trainee shall attend an approved training course or training program prescribed in the traineeship agreement or as notified to the trainee by the Tasmanian State Training Authority.
- (b) A traineeship shall not commence until the relevant traineeship agreement, made in accordance with a traineeship scheme, has been signed by the employer and the trainee, lodged for registration and been approved.

The employer shall ensure that the trainee is permitted to attend the training course or program provided for in the traineeship agreement and shall ensure that the trainee receives the appropriate on-the-job training.

- (c) The employer shall provide a level of supervision in accordance with the traineeship agreement during the traineeship period.
- (d) The overall training program will be monitored by officers of the Workplace Standards Authority, Industrial Awards Division and that training records or work books may be utilised as part of this monitoring process.
- (e) Each traineeship scheme (as defined) to be carried out under the terms of this appendix shall have been submitted to the union in accordance with the requirements of this appendix.

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10. EMPLOYMENT CONDITIONS

- (a) A trainee may only be engaged as a full-time employee for a maximum of one year's duration provided that a trainee shall be subject to a satisfactory probation period of up to one month. By agreement in writing, and with the consent of the Tasmanian State Training Authority, the employer and the trainee may vary the duration of the traineeship and the extent of approved training provided that any agreement to vary is in accordance with the relevant traineeship scheme.
- (b) The employer shall not terminate the employment of a trainee without firstly having provided written notice of termination to the trainee concerned in accordance with the traineeship agreement and subsequently within 5 working days to the Tasmanian State Training Authority.

Where the employer chooses not to continue the employment of a trainee upon the completion of the traineeship the Controlling Authority shall notify, in writing, the Tasmanian State Training Authority of their decision.

- (c) The trainee shall be permitted to be absent from work without loss of continuity of employment and/or wages to attend the training in accordance with the traineeship agreement.
- (d) Where the employment of a trainee by the employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of any relevant award.
- (e)
 - (i) The traineeship agreement may restrict the circumstances under which the trainee may work overtime and shiftwork in order to ensure the training program is successfully completed.
 - (ii) No trainee shall work overtime or shiftwork on their own.
 - (iii) No trainee shall work shiftwork unless the parties to a traineeship scheme agree that such shiftwork makes satisfactory provision for approved training. Such training may be applied over a cycle in excess of a week, but must average over the relevant period no less than the amount of training required for non-shiftwork trainees.
 - (iv) The trainee wage shall be the basis for the calculation of overtime and/or shift penalty rates prescribed by the relevant award, unless otherwise agreed by the parties to a traineeship scheme.
- (f) All other terms and conditions of the relevant award that are applicable to the trainee or would be applicable to the trainee but for this appendix shall apply unless specifically varied by this appendix.

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- (g) A trainee who fails to either complete the traineeship or who cannot for any reason be placed in full time employment on successful completion of the traineeship shall not be entitled to any severance payments payable pursuant to termination, change and redundancy provisions or provisions similar thereto.

11. WAGES

- (a) (i) A person employed as a trainee in a trainee position shall be paid the weekly wage rate payable to trainees as provided in paragraph (iv) of this clause.
- (ii) The weekly wage rates will only apply to trainees while they are undertaking an approved traineeship which includes approved training (as defined).
- (iii) The weekly wage rates prescribed by this clause do not apply to complete trade level training which is covered by the apprenticeship system.
- (iv)

School Leaver	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
	128.00 (50%)* 149.00 (33%)	158.00 (33%) 179.00 (25%)	219.00
plus 1 year out of school	179.00	219.00	255.00
plus 2 years	219.00	255.00	296.00
plus 3 years	255.00	296.00	339.00
plus 4 years	290.00	339.00	
plus 5 years or more	339.00		

* *Figures in brackets indicate the average proportion of time spent in approved training to which the associated weekly wage rate is applicable. Where not specifically indicated, the average proportion of time spent in structured training which has been taken into account in setting the rate is 20 per cent.*

- (b) For the purposes of this provision 'out of school' shall refer only to periods out of school beyond Year 10 and shall be deemed to:
- (i) include any period of schooling beyond Year 10 which was not part of nor contributed to a completed year of schooling;
- (ii) include any period during which a trainee repeats in whole or part a year of schooling beyond Year 10; and
- (iii) not include any period during a calendar year in which a year of schooling is completed.

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.

12. DURATION

This appendix shall come into force and shall continue in force until the Training Wage Program finishes or is discontinued, whichever is the sooner.

13. NO PRECEDENCE

This appendix has been developed by the parties to apply specifically to the Training Wage Program and shall not be used as a precedent in proceedings before industrial tribunals or elsewhere.