

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 variation of award

**Automotive, Food, Metals, Engineering,
Printing and Kindred Industries Union**
(T6976 of 1997)

SHIPBUILDERS AWARD

Award variation - fourth minimum rates adjustment; third safety net adjustment and consequential variations to allowances and minimum wage - variation of rates in Special Rates clause - separate orders issued - third safety net adjustment operative ffpp 9.7.97

ORDER -

No. 2 of 1997

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.

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

1. By deleting subclauses 1, 2 and 3 from Clause 8 - Wage Rates and inserting in lieu thereof the following:

"1 - ADULT EMPLOYEES

Adult employees of a classification specified hereunder shall be paid the weekly wage rate assigned to that classification.

Classification	Proposed Base Rate Relativity %	Base Rate \$	Supplementary Payment \$	Safety Net Adjustment \$	Weekly Wage Rate \$
SHIPBUILDING INDUSTRY					
(a) Tradesperson	100	365.20	52.00	24.00	441.20
(b) Employee Level 3	87.4	319.20	17.20	24.00	360.40
(c) Employee Level 2	82.0	299.50	23.40	24.00	346.90
(d) Employee Level 1	78.0	284.90	15.50	24.00	324.40

(e) The hourly rate is one thirty-eighth of appropriate weekly wage rate prescribed herein.

(f) Dunnaging

The minimum rate of wage that may be paid by employers to employees engaged in the dunnaging of ships during the ordinary working hours prescribed in Clause 18 - Hours, subclause (a) of this award shall be \$14.57595 per hour.

This rate is calculated as one thirty-eighth of the sum of the weekly wage rate for classification (a) hereof plus a tool allowance of \$8.30 multiplied by 52 and divided by 42.2.

The factor of 42.2 is computed taking into account pro rata entitlements to the following:

20 working days annual leave; 10 days sick leave; 11 days public holidays; 8 days for following the job.

In addition to the hourly rate prescribed herein the following amounts shall also be paid for each hour worked:

(i) a disability payment of 37 cents per hour; and

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.

- (ii) an amount for annual leave loading calculated as follows:

$$\frac{\text{Minimum Wage (as prescribed in subclause 3 herein)}}{38 \times 52}$$

- (g) Leading Hands

- (i) If in charge of 2 to 8 employees, shall be paid 37 cents per hour extra.
 (ii) If in charge of more than 8 employees, 60 cents per hour extra.

- (h) Supplementary Payment

The amounts appearing in the column headed Supplementary Payment contained in Division 1 - Adult Employees of this clause, are absorbable against any overaward payment being paid by an employer as from the beginning of the first full pay period commencing on or after 9 March 1992.

2 - APPRENTICES

The minimum weekly wage rate that may be paid to apprentices shall be the undermentioned percentages of the wage applicable to classification (a), Division 1 - Adult Employees, of this clause.

Four-year term	Percentage of Weekly Wage	
	Rate (\$441.20)	Weekly Wage Rate
	%	\$
First year	38	167.60
Second year	55	242.70
Third year	75	330.90
Fourth year	90	397.10

PROVIDED that the weekly wage rates for apprentices shall be adjusted to the nearest 10 cents. In addition to the rate prescribed herein there shall be added a tool allowance of \$11.50 per week which sum shall not be taken into account in the computation of overtime or any other penalty rates.

An employer who provides an apprentice with a kit of tools may deduct from the wages of the apprentice the tool allowance of \$11.50 per week until such time as the employer is reimbursed the cost of the tools. In the event of an apprentice being dismissed or leaving the employment before the cost of the tools has been reimbursed, the employer shall be entitled to deduct from any monies owing to the apprentice the amount then owing or to retain such tools as will equal the value then owing.

Tools so provided shall be kept at the employer's establishment during the usual hours of work.

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.

3 - MINIMUM WAGE

Notwithstanding the provisions of Division 1 - Adult Employees hereof, no adult employee shall be paid less than the rate of \$281.40 per week.

PROVIDED that payments for overtime, special rates, weekend penalties, holiday work, shift allowances, and disability allowances prescribed in this award shall be taken into account in the calculation of such minimum weekly rate of wage.

Where a minimum rate of pay as aforesaid is applicable to an employee for work in ordinary hours the same rate shall be applicable to the calculation of overtime and all other penalty rates, payments during sick leave and annual leave, and for all other purposes of this award."

2. By deleting Clause 34 - Special Rates, and inserting in lieu thereof the following:

"34. SPECIAL RATES

In addition to the rates prescribed in Clause 8 - Wage Rates the following special allowances shall be paid, but such extra rates shall not be subject to penalty rates for overtime, Sunday or holiday pay, or shift work:

(a) Wet places, i.e. any place where an employee's clothing or boots unavoidably become saturated, 32 cents per hour.

PROVIDED that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear.

PROVIDED ALWAYS that any employee who becomes entitled to his extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

(b) Confined spaces, i.e., a small compartment or place to which access is through a manhole or similar opening or when work is done in a stooping or otherwise cramped or uncomfortable position, 40 cents per hour extra whilst so engaged.

PROVIDED that when a ship's hold is plugged and entry is through the Booby Hatch, an amount of 40 cents per hour shall be paid to employees for work performed in ships' holds and decks, or when 'black' hatches are required to be worked on all decks.

(c) (i) Dirty Work - Employees who are required to work on repairs in smoke boxes, uptake, funnel, flue, furnace, or combustion chambers of boilers or on machine sanders or in oil tanks, previously used dunnage or who are required to handle insulwool or on work which the management agrees is of an unusually dirty or offensive nature, shall be paid 32 cents per hour extra.

(ii) Acid Work - Employees who are required to work in acid tanks or inside acid retorts shall be paid 81 cents per hour extra.

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) Employees who in the course of their employment are required to handle silicate of cotton, coal, dust, slag, wool, alfol, charcoal, fibreglass, pumice, lamp black, calcine, pitch-blend, pipe clay, soda ash, or in the laying of corticene involving the fixing of it to decks by the use of tallow and resin solution or other adhesive medium, shall be paid 32 cents per hour extra.
- (e) Employees working amongst frozen cargo or in temperatures of less than 2.2 degrees Celsius (in freezing room) shall be paid an additional amount of 29 cents per hour extra.
- (f) Where the circumstances arise wherein a class of employee mentioned in this award is required to perform work of a like nature or under the same conditions as other classes of waterfront employees and a special rate for such work has been determined by the Australian Industrial Relations Commission or Board of Reference, the extension of such payment shall be made to employees mentioned in this award by application to the Tasmanian Industrial Commission. In the event of a dispute arising in relation to the provisions of this subclause, the matter may be referred to the Tasmanian Industrial Commission for adjudication and the decision thereon shall be final and binding.
- (g) Rates prescribed in this clause are not cumulative, and where an employee is engaged on work for which more than one special rate is prescribed, the employee shall be entitled to only one, i.e., the highest, for the disabilities so prevailing."

OPERATIVE DATE

These variations shall come into effect from the first full pay period to commence on or after 9 July 1997.

F D Westwood
PRESIDENT

13 June 1997