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**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

| | |
|---|---|
| **T.712 of 1987** | **IN THE MATTER OF** APPLICATIONS BY THE TASMANIAN TRADES AND LABOR COUNCIL FOR VARIATION OF ALL PUBLIC AND PRIVATE SECTOR AWARDS AND AGREEMENTS TO INCREASE ALL WAGES, SALARIES AND ALLOWANCES BY 6.7 PERCENT AND TO VARY THE PRINCIPLES TO CONFORM WITH THE DECISION OF THE FULL BENCH OF THE AUSTRALIAN CONCILIATION AND ARBITRATION COMMISSION |
| | **AND** |
| **T.665 AND T.691 OF 1987** | **IN THE MATTER OF** APPLICATIONS BY THE TASMANIAN PUBLIC SERVICE ASSOCIATION AND THE TASMANIAN TEACHERS FEDERATION RESPECTIVELY TO VARY NOMINATED PUBLIC SECTOR AWARDS TO INCREASE SALARIES TO REFLECT MOVEMENT IN THE CONSUMER PRICE INDEX FOR HOBART FOR THE MARCH, JUNE, SEPTEMBER AND DECEMBER QUARTERS OF 1986 |

**ORDER -**

**No. 2 of 1987**
**(Consolidated)**

AMEND THE **INLAND FISHERIES COMMISSION STAFF AWARD** BY DELETING ALL THE CLAUSES CONTAINED THEREIN AND INSERTING IN LIEU THEREOF THE FOLLOWING:

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## 1. TITLE

This award shall be known as the "Inland Fisheries Commission Staff Award".

## 2. SCOPE

Subject to the exceptions and conditions contained herein, this Award shall apply to the employment of persons employed under the terms of the Fisheries Act 1959 and for whom classifications appear in this award.

## 3. ARRANGEMENT


| SUBJECT MATTER | CLAUSE NO. |
|---|---|
| Title | 1 |
| Scope | 2 |
| Arrangement | 3 |
| Date of Operation | 4 |
| Supersession and Savings | 5 |
| Parties Bound | 6 |
| Definitions | 7 |
| Salaries | 8 |
| Allowances | 9 |
| Allowance – Scientific Officer-Biologist | 10 |
| Conditions of Service | 11 |
| Deductions from Salary | 12 |
| District Allowance | 13 |
| Hours of Duty | 14 |
| New Appointments and Promotions | 15 |
| Overtime and Extra Remuneration | 16 |
| Progression | 17 |
| Recreation Leave Allowance | 18 |
| Salary Increments | 19 |


## 4. DATE OF OPERATION

This award shall come into operation as from the first full pay period to commence on or after 10 March 1987.

**PROVIDED** that it is a term of this award (arising from the decision of the Tasmanian Industrial Commission in the National Wage Case flow-on of 1987) that the unions undertake that for the period of the package they will not pursue any claims, award or overaward, except where consistent with the National Wage Case Principles.

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## 5. SUPERSESSION AND SAVINGS

This award incorporates and supersedes No. 1 of 1986 (Consolidated), No. 2 of 1986, No. 3 of 1986 and No. 1 of 1987.

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

## 6. PARTIES BOUND

This award shall apply to, and be binding upon:

(a) the Tasmanian Public Service Association and the officers of that organisation and their members for whom classifications appear in this award;

(b) the Inland Fisheries Commission, in relation to all officers (as defined) for whom classifications appear in this award, whether members of a Registered Organisation or not; and

(c) the Tasmanian Trades and Labor Council.

## 7. DEFINITIONS

In this award, unless the contrary intention appears:

**'Adult Officer'** means an officer 21 years of age or over

**'Junior Officer'** means an officer under the age of 21 years.

**'Officer'** means a person permanently or temporarily employed by the Inland Fisheries Commission under the provisions of the Fisheries Act 1959, 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 one of the positions covered by this award or who, after that date, is appointed to one of such positions.

**'Scientific Officer'** means an adult person who holds a degree or diploma in science of an approved university, college or school, or holds qualifications deemed by the controlling authority as being respectively at least equivalent thereto, and who is engaged on professional scientific duties.

**'Isolated Area'** means any area, centre, district or location embraced by the Commonwealth Taxation Zone B prescription, together with such other areas, centres, districts or locations as may be approved by the Commission, including the following: King Island, Flinders Island, Cape Barren Island, Maria Island and Bruny Island.

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## 8. SALARIES

An officer classified or graded within a class or grade prescribed by this award shall, subject to satisfying the prescribed requirements, be paid:

(a) in the case of an adult officer at the salary rate determined for the relevant classification, as hereinafter set forth;

(b) in the case of a junior officer at the appropriate salary rate within the scale determined for the relevant classification, as hereinafter set forth.

| | Salary per annum $ |
|---|---|
| **A. ADULT OFFICER** | |
| Administrative and Clerical Officer | |
| Class I | |
| 1st year of service | 15660 |
| 2nd year of service | 16117 |
| 3rd year of service | 16568 |
| 4th year of service | 17034 |
| 5th year of service | 17516 |
| 6th year of service | 17981 |
| 7th year of service and thereafter | 18499 |
| Class II | |
| 1st year of service | 19018 |
| 2nd year of service | 19679 |
| 3rd year of service and thereafter | 20330 |
| Class III | |
| 1st year of service | 20986 |
| 2nd year of service and thereafter | 21641 |
| Class IV | |
| 1st year of service | 22286 |
| 2nd year of service and thereafter | 22934 |
| Class V | |
| 1st year of service | 23445 |
| 2nd year of service and thereafter | 23964 |
| Class VI | |
| 1st year of service | 24477 |
| 2nd year of service | 24993 |
| 3rd year of service and thereafter | 25506 |

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| | |
|---|---|
| Class VII | |
| 1st year of service | 26026 |
| 2nd year of service | 26675 |
| 3rd year of service and thereafter | 27316 |
| Class VIII | |
| 1st year of service | 27958 |
| 2nd year of service | 28477 |
| 3rd year of service and thereafter | 29124 |
| Class IX | |
| 1st year of service | 29636 |
| 2nd year of service | 30288 |
| 3rd year of service and thereafter | 30927 |

Office Assistant
Typist
Machinist
Audio Typist
Keyboard Operator
Secretarial Assistant
Typist-in-Charge
Machinist-in-Charge
Keyboard Supervisor

| | |
|---|---|
| Class I | |
| Grade 1 | 15321 |
| Grade 2 | 15550 |
| Grade 3 | 15777 |
| Class II | |
| Grade 1 | 16001 |
| Grade 2 | 16227 |
| Grade 3 | 16451 |
| Grade 4 | 16678 |
| Class III | |
| Grade 1 | 16922 |
| Grade 2 | 17156 |
| Grade 3 | 17393 |
| Grade 4 | 17633 |
| Class IV | |
| Grade 1 | 17866 |

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| | |
|---|---|
| Class V | |
| Grade 1 | 18102 |
| Grade 2 | 18572 |
| Class VI | |
| Grade 1 | 19395 |

**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 $197 per annum;

(iii) an officer who is a typist shall not be appointed to a position classified above Class III Grade 4 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 - $392 per annum
(b) for 120 words per minute - $588 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 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.

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

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## B. PROFESSIONAL

Scientific Officer

Class I

| | |
|---|---|
| 1st year of service | 19519 |
| 2nd year of service | 20049 |
| 3rd year of service | 20879 |
| 4th year of service | 22196 |
| 5th year of service | 23700 |
| 6th year of service | 25395 |
| 7th year of service and thereafter | 27102 |

**PROVIDED** that a person who has obtained a degree of either an approved university or college of advanced education requiring:-

(i) a minimum of three years full-time study, shall be paid a minimum salary rate as for the 2nd year of service; or

(ii) a minimum of four years full-time study, shall be paid a minimum salary rate as for the 3rd year of service.

**PROVIDED FURTHER** that a person who either at an approved university or college of advanced education has been admitted to:-

(i) a Masters degree shall be paid a minimum salary rate as for the 4th year of service; or

(ii) the degree of Doctor, shall be paid a minimum salary rate as for the 5th year of service.

Class II

Grade 1

| | |
|---|---|
| 1st year of service | 28310 |
| 2nd year of service and thereafter | 29269 |

Grade 2

| | |
|---|---|
| 1st year of service | 30494 |
| 2nd year of service and thereafter | 31720 |

## C. TECHNICAL

Technical Officer

Class I

| | |
|---|---|
| 1st year of service | 15683 |
| 2nd year of service | 16167 |
| 3rd year of service | 16650 |
| 4th year of service and thereafter | 17141 |

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| | |
|---|---|
| Class II | |
| 1st year of service | 17545 |
| 2nd year of service and thereafter | 18024 |
| Class III | |
| Grade 1 | 18432 |
| Grade 2 | 18899 |
| Class IV | |
| Grade 1 | 19325 |
| Grade 2 | 19842 |
| Class V | |
| Grade 1 | 20292 |
| Grade 2 | 20811 |
| Class VI | |
| Grade 1 | 21257 |
| Grade 2 | 21773 |
| Class VII | |
| Grade 1 | 22208 |
| Grade 2 | 22725 |
| Class VIII | |
| Grade 1 | 23157 |
| Grade 2 | 23673 |
| Class IX | |
| Grade 1 | 24123 |
| Grade 2 | 24640 |

**D. JUNIOR OFFICER**

Scale 1 -

| Age | |
|---|---|
| 16 years and under | 8613 |
| 17 years | 9866 |
| 18 years | 11432 |
| 19 years | 13154 |
| 20 years | 14564 |

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**PROVIDED** that the salaries for Scale 1 shall be:

55 per cent at age 16 years
63 per cent at age 17 years
73 per cent at age 18 years
84 per cent at age 19 years
93 per cent at age 20 years

of the first year of service of an Administrative and Clerical Officer Class I.

Scale 2 –

| Age | Salary per Annum $ |
|---|---|
| 16 years and under | 8044 |
| 17 years | 9214 |
| 18 years | 10677 |
| 19 years | 12286 |
| 20 years | 13602 |

**PROVIDED** that the salaries for Scale 2 shall be -

55 per cent at age 16 years
63 per cent at age 17 years
73 per cent at age 18 years
84 per cent at age 19 years
93 per cent at age 20 years

of the first year of service as a Clerical Assistant Class I.

Scale 3 -

| Age | Salary per Annum $ |
|---|---|
| 16 years and under | 8427 |
| 17 years | 9652 |
| 18 years | 11184 |
| 19 years | 12870 |
| 20 years | 14249 |

**PROVIDED** that the salaries for Scale 3 shall be -

55 per cent at age 16 years
63 per cent at age 17 years
73 per cent at age 18 years
84 per cent at age 19 years
93 per cent at age 20 years

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of the first year of service of a Clerical Officer-Keyboard and Office Assistant Class I Grade 1.

**PROVIDED FURTHER** that a junior officer appointed to a position as a -

(i) 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 - $392 per annum
(b) 100 words per minute - $780 per annum
(c) 120 words per minute - $1174 per annum

(ii) 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 - $305 per annum
(b) 50 words per minute - $392 per annum

(iii) machinist who has satisfactorily passed an approved efficiency test in machine operation in the full range of the machine or machines she 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 $392 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 - $780 per annum

(iv) typist, who is regularly employed on audio work, or relieves in that capacity, shall be paid an allowance at the rate of -

(a) up to 2 years experience on reel-to-reel or cassette type recorders - $588 per annum

(b) over 2 years experience on reel-to-reel or cassette type recorders - $1174 per annum

**PROVIDED FURTHER** 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.

**PROVIDED FURTHER** that an officer with dependents may, on the determination of the controlling authority, be paid the salary such officer would normally receive on attaining the age of 21 years.

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## 9. ALLOWANCES

Except where, or until otherwise determined by this Commission, allowances for lodging, accommodation, temporary residence away from headquarters, district residence, mainland residence, proficiency, relieving duty, higher duty, extra duty, tools and clothing and other allowances (if any) in the nature of additional pay for classes or conditions of work, shall be granted to officers covered by this award at the rates and 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, by-laws or instructions made under such Acts or Instrument, whichever are applicable.

## 10. ALLOWANCE - SCIENTIFIC OFFICER-BIOLOGIST (POSITION N0. 850007)

That the Scientific Officer-Biologist - presently occupying Position No. 850007 and performing the duties described in Exhibit B. tendered in Matter T.532 of 1986 shall, from 15 December 1986, be paid an all-purpose allowance at the rate of $1,227 per annum

Provided that this allowance may be increased to $2447 per annum if after 12 months the controlling authority is satisfied that the employee, while continuing to perform duties of the same or higher level of responsibility, has performed those duties in a satisfactory, efficient and diligent manner.

This order shall remain in force for two years or until earlier varied or revoked.

## 11. CONDITIONS OF SERVICE

Until otherwise determined by this Commission, allowances for meals, travelling expenses, including the Bass Strait Island allowances, and use of privately owned vehicles on official duty and camp allowances shall, where applicable, be granted to employees covered by this award at the rates and in accordance with the conditions determined for officers by the General Conditions of Service Award of this Commission.

## 12. DEDUCTIONS FROM SALARY

Until otherwise determined by this 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.

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## 13. DISTRICT ALLOWANCE

(i) The purpose of this general allowance is to compensate for excess costs necessarily incurred by an officer living in an "isolated area" and without limiting the foregoing includes partial reimbursement for STD, freight, fuel and depreciation costs

(ii) Where a person is stationed permanently in one or other of the following districts he may, on the determination of the controlling authority, be paid an allowance in accordance with the following rates, viz.:

| | Salary per Annum $ |
|---|---|
| (a) Category R - | |
| Remote locations approved as such by the Public Service Board including Bass Strait Islands, Maria Island and Bruny Island: | |
| (i) person with dependent relatives residing with him | 1504 |
| (ii) other (no dependants) | 751 |
| (b) Category I - | |
| Locations under the Commonwealth Taxation Zone B prescription: | |
| (i) person with dependant relatives residing with him | 751 |
| (ii) other (no dependants) | 376 |
| (c) Category S - | |
| Special locations as may be approved by the Board: | |
| (i) person with dependant relatives residing with him | 376 |
| (ii) other (no dependants) | 190 |

**PROVIDED** that an officer with dependants residing with him shall be regarded as an officer without dependants if his spouse, of entitlement arising frown employment, is in receipt of a district allowance.

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**PROVIDED FURTHER** that a junior officer ineligible by age from holding a driving licence, shall be paid a rate calculated on the basis of the proportion that the junior officer's salary bears to the appropriate adult salary rate, provided that the junior officer shall in any case receive not less than 50 per cent of the relevant single adult allowance.

**PROVIDED FURTHER** that a junior officer qualified by age to hold a driving licence shall be paid the full adult single allowance.

## 14. HOURS OF DUTY

Until otherwise determined by this 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.

## 15. NEW APPOINTMENT 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 cases 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.

## 16. OVERTIME AND EXTRA REMUNERATION

Until otherwise determined by this Commission, overtime payments and the rates of remuneration and conditions in respect of minimum earnings, travelling time, shift work, night work, and special duty, and of work on Saturdays, Sundays and holidays, and at any other time outside the ordinary hours of duty, payable to officers covered by this award shall be at the rate and 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.

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## 17. PROGRESSION

An officer who has served for twelve months on the maximum salary rate prescribed for Class I shall be advanced to Class II, Grade 1, subject to:-

(i) the fulfilment of the requirements necessary for appointment to such class;

(ii) a certificate by the permanent Head of the Department that such officer is worthy of advancement and is qualified for and will be required to undertake the duties of an officer within that class; and

(iii) the acceptance by the controlling authority concerned of such certificate.

## 18. RECREATION LEAVE ALLOWANCE

During a period of recreation leave an officer shall be paid an allowance by way of additional salary calculated at the rate of seventeen and a half per cent of his normal salary, plus, where applicable, any allowance of a permanent nature payable to such officer and deemed by the controlling authority to be in the nature of additional salary.

**PROVIDED** that such allowance shall:-

(i) be calculated on the basis of a maximum period, in any one leave year of four weeks recreation leave;

(ii) in no case exceed $393 per annum on and from the first day of October 1985 in respect of all recreation leave accrued during the preceding twelve months;

(iii) not apply to proportionate recreation leave accrued by an officer in the leave year of the termination of service where such officer voluntarily resigns or whose services are terminated for disciplinary or other good reason;

(iv) be calculated at the salary rate applicable to the officer concerned on the first day of October in the year in which the recreation leave is credited;

(v) not be cumulative. Any balance of such allowance due to an officer at the expiration of a period of one year following the date upon which the recreation leave was credited, shall be paid to such officer as soon as is practicable after the date of the expiration of such period.

**PROVIDED FURTHER** that:

Notwithstanding the foregoing, during the period 1.9.86 to 31.8.87 (such period to be referred to as the "relevant period") the' following shall apply:

1. No permanent full-time or permanent part-time employee subject to this award shall suffer involuntary retrenchment.

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2. During the relevant period any dispute arising regarding the alleged involuntary retrenchment of any employee, except where consistent with the normal turnover of labour, (e.g. casuals and temporaries employed for a specific period or purpose) shall be referred to the Commission for determination.

3. Subject to 9., all employees to whom this clause applies shall forego not less than or more than one full year's entitlement to recreation leave allowance during the relevant period.

4. The amount of allowance to be foregone by shift workers shall be calculated as if the shift worker were a day worker. The difference between the amount calculated on that basis and payment according to projected roster shall be retained by the employee during the relevant period.

5. Where more than one payment falls due to an employee during the relevant period, the first such payment only shall be foregone (provided that payment represents a full year's entitlement), and the second entitlement shall be retained by the employee.

6. Where at the end of the relevant period an employee has not foregone any allowance due to deferred leave or for any other reason, the amount that would have been foregone shall be debited against the employee's recreation leave card and only the residue (being the difference between the amount that would otherwise fall due and the amount debited against his leave card at the end of the relevant period) shall be payable to the employee in due course.

7. For the purpose. of determining the amount to be foregone or debited, the calculation shall be based upon the employee's actual or notional salary as at 1.10.85.

8. An employee who, having foregone one entitlement during the relevant period, subsequently resigns, shall not be entitled to a refund of the amount foregone.

9. A person who is engaged during the relevant period shall have his recreation leave card debited on a pro rata basis at the end of the relevant period and calculated in accordance with 7.

10. Any dispute regarding calculation or entitlement may be referred to the Commission for determination.

11. Except for the purpose of recovering amounts debited in accordance with 6. and 9., this provision shall cease to operate after 31.8.87."

INTERPRETATION:

The intention of the foregoing, whether ascertainable from the words used or not, is to ensure that each employee otherwise entitled to recreation leave allowance shall, during the relevant period, or where leave has been deferred as soon as possible thereafter, forego not more than one or less than one recreation leave allowance during that period.

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For shift workers the amount to be foregone is to be calculated on a notional basis as if the shift worker were a day worker instead. The residue of the shift worker's normal "payment as to roster" allowance shall remain an entitlement to the shift worker concerned.

Persons commencing during the relevant period shall also forego a pro rata amount calculated on the same formula.

Where no recreation leave allowance becomes payable during the relevant period, the employee shall not, simply for that reason, be excused from foregoing the actual or notional amount that would have otherwise have been foregone during the relevant period.

Where calculated amounts cannot, for technical reasons, be foregone during the relevant period, those or the pro-rated amounts are to be debited against any entitlement falling due outside the relevant period.

It is a condition of this provision that during the relevant period no employee subject to any of the awards affected shall suffer involuntary retrenchment, except in accordance with the normal and customary turnover of labour. (e.g. casual employees engaged intermittently, or temporaries engaged for a specific purpose or for a specified period.)

It is also intended that disputes regarding alleged individual involuntary retrenchment or calculation of individual amounts to be foregone be referred to the Commission for determination - at least in the first instance.

This recreation leave allowance clause continues to apply during the relevant period but only to the extent permitted by the foregoing.

Except for the purpose of recovering amounts not actually recovered during the relevant period, the proviso ceases to have effect after 31 August 1987.

## 19. SALARY INCREMENTS

1. 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 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.

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2. 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 hisprevious salary increment was awarded.

3. 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.

L.A. Koerbin
**PRESIDENT**

2 June 1987

S095