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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s23 application for award or variation of award

Australian Liquor, Hospitality and Miscellaneous Workers Union
(T10410 of 2002)

**AERATED WATERS AWARD
CHILD CARE AND CHILDREN'S SERVICES AWARD
CLEANING AND PROPERTY SERVICES AWARD
FIBREGLASS AND PLASTICS AWARD
HEALTH AND FITNESS CENTRES AWARD
ICE CREAM MAKERS AWARD
INDEPENDENT SCHOOLS (NON TEACHING STAFF) AWARD
LAUNDRY AND DRY CLEANING AWARD
LICENSED CLUBS AWARD
MISCELLANEOUS WORKERS AWARD
RESTAURANT KEEPERS AWARD
SECURITY INDUSTRY AWARD
SHIPPING AWARD**

FULL BENCH:

PRESIDENT P L LEARY
DEPUTY PRESIDENT R J WATLING
COMMISSIONER T J ABEY

Award variation - 9% superannuation - application approved - operative date ffpp 25 November 2002

ORDER BY CONSENT -

ICE CREAM MAKERS AWARD

No. 1 of 2003

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THE **ICE CREAM MAKERS AWARD** IS VARIED IN THE FOLLOWING MANNER:

By deleting Clause 28 – Superannuation and inserting in lieu thereof the following:

“28. SUPERANNUATION

(a) Contribution

- (i) An employer shall make a contribution equivalent to 9% of ordinary time earnings with a minimum contribution of \$1.30 per week into TASPLAN in respect of all eligible employees (as defined) from 1 July 1990.
- (ii) Contributions to the fund shall be made by the employer on at least a calendar monthly basis unless there are circumstances for which the employer cannot be held responsible.

(b) Definitions

‘Eligible Employee’ means an employee for whom a classification appears in this award whether employed on a full-time, part-time or casual basis and who has had at least three months continuous service with the employer, but excludes the spouse of the employer and children of the employer. Where an eligible employee has completed at least 3 months continuous service with the employer then the superannuation contributions shall be made from the date the employee commenced employment.

‘TASPLAN’ means the TASPLAN fund established by Trust Deed and Articles on 26 March 1990.

‘Ordinary Time Earnings’ shall include an employee's classification rate, overaward payments, shift loading, casual loading and any permanent all purpose work related allowance but shall exclude overtime payments, annual leave loading, annual or long service leave payments on termination and allowances paid as a reimbursement of expense.”

This variation shall take effect from the first full pay period on or after 25 November, 2002.

P L Leary
PRESIDENT

24 January 2003