

T14993 OF 2022



Industrial Relations Act 1984  
s55 Industrial Agreement

# AWU PUBLIC SECTOR UNION WAGES AGREEMENT 2022

Between the

Minister administering the *State Service Act 2000*

and the

The Australian Workers' Union, Tasmania Branch



## I TITLE

This Agreement shall be known as the AWU Public Sector Union Wages Agreement 2022

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### 3 APPLICATION

This Agreement is made in respect of employees covered by the AWU (Tasmanian State Sector) Award.

### 4 DATE AND PERIOD OF OPERATION

- 4.1 This Agreement cancels and replaces the AWU Public Sector Union Wages Agreement 2019 which was registered on 23 March 2020.
- 4.2 This Agreement applies with effect from 1 July 2022 and will remain in force until 30 June 2025.
- 4.3 The parties agree to commence negotiations for a replacement agreement on or before 30 November 2024.

### 5 PARTIES BOUND

This Agreement is between the Minister administering the *State Service Act 2000* and the Australian Workers' Union, Tasmania Branch.

### 6 RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement prevails to the extent of any inconsistency that occurs between this Agreement and the AWU (Tasmanian State Sector) Award, the Tasmanian State Service Award (TSSA), or any registered Agreement with the Minister administering the *State Service Act 2000*.

### 7 SALARY INCREASES

- 7.1 Salaries will increase as follows:
  - (i) 3.5 percent per annum with effect from the first full pay period commencing on or after (ffppcooa) 1 December 2022.
  - (ii) 3 percent per annum with effect from the ffppcooa 1 December 2023.
  - (iii) 3 percent per annum with effect from the ffppcooa 1 December 2024.



- 7.2 All employees covered by this Agreement receive a flat rate \$1,000 cost of living increase to the base salaries in Schedule 1 of this Agreement effective ffpccoaa 1 December 2022, to apply prior to the percentage increase outline in Clause 7.1(i).
- 7.3 In addition to Clause 7.2 employees whose substantive classification is up to the equivalent of the full time salary at the top of General Stream Band 3 (AWU Tasmanian State Sector Award) and below, receive a further lower income flat rate \$500 increase to the base salaries in Schedule 1 of this Agreement, effective from the ffpccoaa 1 December 2022, to apply prior to the percentage increase outline in Clause 7.1(i).
- 7.4 Employees whose substantive classification is up to the equivalent of the top of classification General Stream Band 3 (TSSA) and below and who are earning up to the equivalent to the salary at the top of classification General Stream Band 3 (TSSA) and below, at the point the payment is due will receive a one-off Lower Income Payment as follows:
- (i) \$1,000 (pro-rata) payable from the ffpccoaa the date of registration of this Agreement.
  - (ii) \$500 (pro-rata) payable from the ffpccoaa 1 December 2023.
  - (iii) \$500 (pro-rata) payable from the ffpccoaa 1 December 2024.
- 7.5 Part-time and fixed-term casual employees will receive pro-rata payment of the Lower Income Payment referred to in Clause 7.4 on the basis of their average fortnightly hours worked as a proportion of the full time equivalent fortnightly hours. The following approach applies to the calculation of average fortnightly hours worked:
- (i) For part-time employees who regularly work their contracted hours, the average fortnightly hours will be those hours specified in that employee's appointment;
  - (ii) For part-time employees who regularly work a pattern of hours above their contracted hours, the fortnightly hours will be those hours worked in the employee's regular pattern;
  - (iii) For fixed-term casual employees and for part time employees who work an irregular pattern of hours, the average fortnightly hours will be calculated on the basis of average fortnightly hours worked over the previous 12 months. Where these employees have commenced employment within 12 months of the date on which the Lower Income Payment is payable, the average fortnightly hours will be calculated on the basis of the average fortnightly hours worked over that employee's period of employment.
- 7.6 Schedule 1 of this Agreement sets out the annual rates of pay effective ffpccoaa 1 December 2022, ffpccoaa 1 December 2023, and ffpccoaa 1 December 2024.
- 7.7 Schedule 2 of this Agreement sets out the annual rates of pay effective ffpccoaa 1 December 2022, ffpccoaa 1 December 2023, and ffpccoaa 1 December 2024 for employees participating in the Purchased Leave Scheme.





## 8 NOVATED LEASE

- 8.1 Employees may elect to salary sacrifice a proportion of their salary for the novated lease of a motor vehicle subject to compliance with any Tasmanian or Australian Government directive and legislation.
- 8.2 Salary sacrifice arrangements are to be administered by one or more organisations nominated by the employer following consultation with unions.
- (i) All fringe benefits tax, other liabilities, and/or direct administrative costs incurred by a salary sacrifice arrangement under this clause is the employee's responsibility and does not create any employer liability.
  - (ii) The salary payable to an employee who enters into a salary sacrifice arrangement is the salary payable under that arrangement.
  - (iii) Payment of an accrued leave entitlement, or in lieu of notice, made to an employee who ceases employment and employer and employee superannuation contributions and overtime and penalty rates are based on the salary that would have been payable had the salary sacrifice agreement not existed.
  - (iv) An employee who withdraws from a salary sacrifice arrangement is required to comply with the requirements of the administrator of that arrangement.

## 9 PERSONAL LEAVE ACCUMULATION SCHEME

- 9.1 The personal leave accumulation scheme only applies to employees covered by the scope of the AWU (Tasmanian State Sector) Award (the Award).
- 9.2 A full time employee covered by the personal leave accumulation scheme is entitled to 147 hours (or 152 hours for employees working a 38 hour week) of personal leave in each personal year. A part-time employee is entitled to personal leave in direct proportion to the number of hours worked compared to a full time employee.
- 9.3 Personal leave for a full time employee accrues at a rate of 5.65 hours (5.85 hours for an employee working a 38 hour week) for each completed fortnight of service. Any personal leave not used in any personal leave year is added to the following years' accrual to a maximum accrual of 1911 hours (or 1976 hours for employees working a 38 hour week).
- 9.4 This provision is an alternate to the triennium scheme as detailed in the Award Part VII, Clause 3 (d) and applies to all new employees from 1 March 2014, including fixed term employees. Fixed term employees employed from 1 March 2014 will not be able to transfer into the triennium scheme as detailed in the Award Part VII, Clause 3(d).
- 9.5 Existing employees as at 1 March 2014 may elect to transfer from the triennium entitlement as detailed in the Award Part VII, Clause 3(d) to the accumulation scheme.



- 9.6 An election to transfer may be made from 1 March 2014 with a date of effect of 1 July 2014. An election to transfer made after 1 June 2014 will have a date of effect 4 weeks after the application is made.
- 9.7 An employee who makes an election to transfer their entitlement from the triennium scheme to the accumulation scheme is to have their personal leave balance recalculated by multiplying their full time equivalent years of service with the accumulated leave scheme annual entitlement (147 hours), less all personal leave used during their service and up to the date of transfer. This will become their new personal leave balance.
- 9.8 Once a new employee has been assigned to the accumulation scheme or an existing employee has elected to transfer to the accumulation scheme they cannot revert back to the triennium scheme.
- 9.9 Other than the method of accrual of personal leave, all other provisions of the Award Part VII, Clause 3 continues to apply.

## 10 DAY WORKERS – CHRISTMAS CLOSE DOWN DAYS

- 10.1 Notwithstanding Part VII Clause 5(a)(vii) of the AWU (Tasmanian State Sector) Award, where a Head of Agency determines to close an Agency or part of an Agency for the period commencing from Christmas Day and ending on New Year's Day including days that are not State Service Holidays with Pay, day workers who work in that Agency or parts of that Agency that are closed will be entitled to three (3) Christmas close down days with pay to cover those usual working days without deduction from recreation leave.
- 10.2 Where a day worker entitled to the Christmas close down days is directed to attend work on any of those three (3) Christmas close down days, they will have access to the Christmas close down days worked up until 30 June of that same year. Any Christmas close down day/s not taken before 30 June of that year will be forfeited.
- 10.3 Where a day worker is entitled to Christmas close down days in accordance with Clause 10.2 the day/s are to be taken at a time or times mutually agreed between the employee and the employer. The employer will not unreasonably deny an employee an opportunity to access these days.
- 10.4 The rate of salary paid to an employee directed to work on a Christmas close down day will be the normal rate of salary the employee would have received for the ordinary hours of work during the relevant period.
- 10.6 Part-time employees entitled to Christmas close down day/s will only be paid for the days they would normally work during the period from Christmas Day and ending on New Year's Day.
- 10.7 Employees eligible for Christmas close down days who are on a period of unpaid or paid leave (other than recreation leave) and who would not otherwise be at work will not be eligible for Christmas close down days.



- 10.8 Christmas close down days do not accrue and any days not accessed in accordance with Clause 10.2 are not eligible to be paid out on cessation of employment.
- 10.9 Heads of Agency are to determine by 1 November of the relevant year whether the Agency or parts of the Agency are to be closed for the period commencing from Christmas Day and ending on New Year's Day. This determination will be communicated to employees by 1 November each year. Where the determination by the Head of Agency for an Agency or part of an Agency is different from the determination made in the previous year, the Head of Agency will provide reasons why the determination has changed.
- 10.10 This clause is subject to review over the life of the Agreement.

## **11 SHIFT WORKER – CHRISTMAS TO NEW YEAR PAYMENT (NON HOLIDAYS WITH PAY)**

- 11.1 A shift worker up to the equivalent of the top of General Stream Band 3 (AWU Tasmanian State Sector Award) who is rostered to work on the week day/s (non Holidays with Pay) between the period commencing from Christmas Day and ending on New Year's Day is to be paid time and one half for those days worked.
- 11.2 This clause is subject to review over the life of the Agreement.

## **12 GRIEVANCES AND DISPUTE SETTLING PROCEDURE**

- 12.1 The parties are committed to avoiding industrial disputation about the application of this Agreement.
- 12.2 If a grievance or dispute arise about the application of this Agreement:
- (i) In the first instance, it is to be dealt with at the workplace by appropriate employer and employee representatives;
  - (ii) In circumstances where discussions at that level fail to resolve the grievance or dispute, the issue will be referred to appropriate union and management representatives; and
  - (iii) If still unresolved, the matter will be referred to the Tasmanian Industrial Commission.
- 12.3 Where a grievance or dispute is being dealt with under this process, normal work will continue.





12.4 This grievance and dispute procedure does not take away an employee's rights to seek redress of a grievance either under the *State Service Act 2000* or the *Industrial Relations Act 1984*, or any other relevant legislation.

### 13 NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, save for those matters contained within the letter of offer to The Australian Workers' Union, Tasmania Branch dated 13 December 2022, they will not initiate any additional claims regarding salary or conditions of employment.





## 14 SIGNATORIES

SIGNED FOR AND ON BEHALF OF

The Minister administering the *State Service Act 2000*

Signed: J P J [Signature]

Name: Jane Fitton

Date: 20/12/2022

SIGNED FOR AND ON BEHALF OF

The Australian Workers' Union, Tasmania Branch

Signed: R Flanagan

Name: Robert Flanagan  
Acting Branch Secretary

Date: 20/12/22



## Schedule I - Salaries

Classification	Current effective ffppcooa 1 Dec 2021	Low income payment into base (\$500)	Cost of Living payment into base (\$1,000)	3.5% effective ffppcooa 1 Dec 2022 Base Salary	One-off Low Income Payment ffppcooa date of registration pro-rata	One-off Low Income Payment ffppcooa 1 Dec 2023 pro-rata	3.0% effective ffppcooa 1 Dec 2023 Base Salary	One-off Low Income Payment ffppcooa 1 Dec 2024 pro-rata	3.0% effective ffppcooa 1 Dec 2024 Base Salary
BI-R1-1	\$46,947	\$47,447	\$48,447	\$50,143	\$1,000	\$500	\$51,647	\$500	\$53,196
BI-R1-3	\$50,204	\$50,704	\$51,704	\$53,514	\$1,000	\$500	\$55,119	\$500	\$56,773
BI-R2-2	\$53,453	\$53,953	\$54,953	\$56,876	\$1,000	\$500	\$58,582	\$500	\$60,339
BI-R2-4	\$56,509	\$57,009	\$58,009	\$60,039	\$1,000	\$500	\$61,840	\$500	\$63,695
BI-R2-5	\$57,317	\$57,817	\$58,817	\$60,876	\$1,000	\$500	\$62,702	\$500	\$64,583
PROMOTION									
B2-R1-2	\$59,305	\$59,805	\$60,805	\$62,933	\$1,000	\$500	\$64,821	\$500	\$66,766
B2-R1-3	\$60,395	\$60,895	\$61,895	\$64,061	\$1,000	\$500	\$65,983	\$500	\$67,962
B2-R1-4	\$61,535	\$62,035	\$63,035	\$65,241	\$1,000	\$500	\$67,198	\$500	\$69,214
B2-R1-5	\$63,031	\$63,531	\$64,531	\$66,790	\$1,000	\$500	\$68,794	\$500	\$70,858
B2-R1-6	\$63,942	\$64,442	\$65,442	\$67,732	\$1,000	\$500	\$69,764	\$500	\$71,857
PROMOTION									
B3-R1-2	\$66,606	\$67,106	\$68,106	\$70,490	\$1,000	\$500	\$72,605	\$500	\$74,783
B3-R1-3	\$67,938	\$68,438	\$69,438	\$71,868	\$1,000	\$500	\$74,024	\$500	\$76,245
B3-R1-4	\$69,249	\$69,749	\$70,749	\$73,225	\$1,000	\$500	\$75,422	\$500	\$77,685
B3-R1-5	\$71,049	\$71,549	\$72,549	\$75,088	\$1,000	\$500	\$77,341	\$500	\$79,661
B3-R1-6	\$72,118	\$72,618	\$73,618	\$76,195	\$1,000	\$500	\$78,481	\$500	\$80,835
PROMOTION									
B4-R1-2	\$74,600		\$75,600	\$78,246			\$80,593		\$83,011
B4-R1-3	\$76,541		\$77,541	\$80,255			\$82,663		\$85,143
B4-R1-4	\$78,593		\$79,593	\$82,379			\$84,850		\$87,396
ADVANCED ASSESSMENT POINT									
B4-R2-2	\$79,920		\$80,920	\$83,752			\$86,265		\$88,853



Classification	Current effective ffppcoa 1 Dec 2021	Low income payment into base (\$500)	Cost of Living payment into base (\$1,000)	3.5% effective ffppcoa 1 Dec 2022 Base Salary	One-off Low Income Payment ffppcoa date of registration pro-rata	One-off Low Income Payment ffppcoa 1 Dec 2023 pro-rata	3.0% effective ffppcoa 1 Dec 2023 Base Salary	One-off Low Income Payment ffppcoa 1 Dec 2024 pro-rata	3.0% effective ffppcoa 1 Dec 2024 Base Salary
B4-R2-3	\$81,998		\$82,998	\$85,903			\$88,480		\$91,134
B4-R2-4	\$84,740		\$85,740	\$88,741			\$91,403		\$94,145
B4-R2-5	\$86,016		\$87,016	\$90,062			\$92,764		\$95,547
PROMOTION									
B5-R1-2	\$89,600		\$90,600	\$93,771			\$96,584		\$99,482
B5-R1-3	\$91,866		\$92,866	\$96,116			\$98,999		\$101,969
ADVANCED ASSESSMENT POINT									
B5-R2-1	\$93,180		\$94,180	\$97,476			\$100,400		\$103,412
B5-R2-2	\$94,036		\$95,036	\$98,362			\$101,313		\$104,352
PROMOTION									
B6-R1-2	\$98,358		\$99,358	\$102,836			\$105,921		\$109,099
B6-R1-3	\$100,326		\$101,326	\$104,872			\$108,018		\$111,259
B6-R1-4	\$103,603		\$104,603	\$108,264			\$111,512		\$114,857
ADVANCED ASSESSMENT POINT									
B6-R2-2	\$106,242		\$107,242	\$110,995			\$114,325		\$117,755
B6-R2-3	\$108,112		\$109,112	\$112,931			\$116,319		\$119,809
B6-R2-4	\$109,972		\$110,972	\$114,856			\$118,302		\$121,851
B6-R2-5	\$111,379		\$112,379	\$116,312			\$119,801		\$123,395





## Schedule 2 – Purchased Leave Scheme Salaries

Classification	Current effective ffppcoa 1 Dec 2021	Low income payment into base (\$500)	Cost of Living payment into base (\$1,000)	3.5% effective ffppcoa 1 Dec 2022 Base Salary	One-off Low Income Payment ffppcoa date of registration pro-rata	One-off Low Income Payment ffppcoa 1 Dec 2023 pro-rata	3.0% effective ffppcoa 1 Dec 2023 Base Salary	One-off Low Income Payment ffppcoa 1 Dec 2024 pro-rata	3.0% effective ffppcoa 1 Dec 2024 Base salary
BI-R1-1	\$45,327	\$45,810	\$46,776	\$48,413	\$1,000	\$500	\$49,865	\$500	\$51,361
BI-R1-3	\$48,472	\$48,955	\$49,920	\$51,668	\$1,000	\$500	\$53,217	\$500	\$54,814
BI-R2-2	\$51,609	\$52,092	\$53,057	\$54,914	\$1,000	\$500	\$56,561	\$500	\$58,257
BI-R2-4	\$54,559	\$55,042	\$56,008	\$57,968	\$1,000	\$500	\$59,707	\$500	\$61,498
BI-R2-5	\$55,340	\$55,822	\$56,788	\$58,776	\$1,000	\$500	\$60,539	\$500	\$62,355
PROMOTION									
B2-R1-2	\$57,259	\$57,742	\$58,707	\$60,762	\$1,000	\$500	\$62,585	\$500	\$64,463
B2-R1-3	\$58,311	\$58,794	\$59,760	\$61,851	\$1,000	\$500	\$63,707	\$500	\$65,617
B2-R1-4	\$59,412	\$59,895	\$60,860	\$62,990	\$1,000	\$500	\$64,880	\$500	\$66,826
B2-R1-5	\$60,856	\$61,339	\$62,305	\$64,486	\$1,000	\$500	\$66,421	\$500	\$68,413
B2-R1-6	\$61,736	\$62,219	\$63,184	\$65,395	\$1,000	\$500	\$67,357	\$500	\$69,378
PROMOTION									
B3-R1-2	\$64,308	\$64,791	\$65,756	\$68,058	\$1,000	\$500	\$70,100	\$500	\$72,203
B3-R1-3	\$65,594	\$66,077	\$67,042	\$69,389	\$1,000	\$500	\$71,470	\$500	\$73,615
B3-R1-4	\$66,860	\$67,343	\$68,308	\$70,699	\$1,000	\$500	\$72,820	\$500	\$75,005
B3-R1-5	\$68,598	\$69,081	\$70,046	\$72,497	\$1,000	\$500	\$74,673	\$500	\$76,913
B3-R1-6	\$69,630	\$70,113	\$71,078	\$73,566	\$1,000	\$500	\$75,773	\$500	\$78,046
PROMOTION									
B4-R1-2	\$72,026		\$72,992	\$75,547			\$77,813		\$80,147
B4-R1-3	\$73,900		\$74,866	\$77,486			\$79,811		\$82,206
B4-R1-4	\$75,882		\$76,847	\$79,537			\$81,923		\$84,381
ADVANCED ASSESSMENT POINT									
B4-R2-2	\$77,163		\$78,128	\$80,863			\$83,289		\$85,788





Classification	Current effective ffppcoa 1 Dec 2021	Low income payment into base (\$500)	Cost of Living payment into base (\$1,000)	3.5% effective ffppcoa 1 Dec 2022 Base Salary	One-off Low Income Payment ffppcoa date of registration pro-rata	One-off Low Income Payment ffppcoa 1 Dec 2023 pro-rata	3.0% effective ffppcoa 1 Dec 2023 Base Salary	One-off Low Income Payment ffppcoa 1 Dec 2024 pro-rata	3.0% effective ffppcoa 1 Dec 2024 Base salary
B4-R2-3	\$79,169		\$80,135	\$82,939			\$85,427		\$87,990
B4-R2-4	\$81,816		\$82,782	\$85,679			\$88,250		\$90,897
B4-R2-5	\$83,048		\$84,014	\$86,955			\$89,564		\$92,251
PROMOTION									
B5-R1-2	\$86,509		\$87,474	\$90,536			\$93,252		\$96,050
B5-R1-3	\$88,697		\$89,662	\$92,800			\$95,584		\$98,451
ADVANCED ASSESSMENT POINT									
B5-R2-1	\$89,965		\$90,931	\$94,113			\$96,936		\$99,844
B5-R2-2	\$90,792		\$91,757	\$94,969			\$97,818		\$100,752
PROMOTION									
B6-R1-2	\$94,965		\$95,930	\$99,288			\$102,267		\$105,335
B6-R1-3	\$96,865		\$97,830	\$101,254			\$104,291		\$107,421
B6-R1-4	\$100,029		\$100,994	\$104,529			\$107,665		\$110,894
ADVANCED ASSESSMENT POINT									
B6-R2-2	\$102,577		\$103,542	\$107,166			\$110,381		\$113,692
B6-R2-3	\$104,382		\$105,348	\$109,035			\$112,306		\$115,676
B6-R2-4	\$106,178		\$107,143	\$110,893			\$114,221		\$117,647
B6-R2-5	\$107,536		\$108,502	\$112,299			\$115,668		\$119,138

