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**TASMANIAN INDUSTRIAL COMMISSION**

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

**Tasmanian Trades and Labor Council**  
(T5985 of 1995)

**HOBART REGIONAL WATER BOARD STAFF AWARD**

**FULL BENCH:**

PRESIDENT F D WESTWOOD  
DEPUTY PRESIDENT A ROBINSON  
COMMISSIONER P A IMLACH

Award variation - nominated private and public sector awards - "Supported Wage System" application approved - orders to issue - operative from 23.2.96

**ORDER BY CONSENT**

**No. 1 of 1996**

AMEND THE **HOBART REGIONAL WATER BOARD STAFF AWARD** IN THE FOLLOWING MANNER:

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**Delete Clause 8 - Salaries and insert in lieu thereof the following:**

**"8. SALARIES**

An employee appointed or promoted to a position 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 salary rate prescribed for the position to which they have been appointed.

**PROVIDED FURTHER** that an employee under 21 years of age with dependants may, on the determination of the controlling authority, be paid the salary which would normally be received on attaining the age of 21 years.

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

- (a) in the case of a relative of that employee, a person who normally 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.

**PROVIDED** that it is a condition of the 4% second tier adjustment applied to the salaries in this award that the package of restructuring and efficiency offsets referred to in Registered Agreement T.1233 of 1988 be implemented and/or observed in relation to all employees for whom salary rates appear in this award.

Where there is an inconsistency between a provision of:

- (a) either this award, the General Conditions of Service Award, an Instruction, or Regulation; and
- (b) the Agreement referred to, the terms of which apply to employees covered by this award;

that provision shall be read subject to the relevant provision contained in the Agreement.

State Service Wage Arrangements.

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**PROVIDED ALWAYS** that "State Service Wages Arrangements Increases" means those fixed salary rate increases provided for in accordance with the Agreement in Relation to State Service Wage Arrangements.

The rates set out in Columns A to D below reflect the State Service Wages Arrangements Increases provided for under industrial agreements and are not in addition to those increases.

Column A - 1.5% per annum or \$8 per week whichever is the greater, payable on and from the first full pay period to commence on or after 1 August 1993.

Column B - 1.5% per annum or \$8 per week whichever is the greater, payable on and from 1 April 1994.

Column C - 1.0% per annum payable on and from 1 January 1995.

Column D - 1.0% per annum payable on and from 1 October 1995.

		A (ftpp) 01/08/93 \$	B 01/04/94 \$	C 01/01/95 \$	D 01/10/95 \$
<b>(a) SECRETARY/ACCOUNTANT</b>					
Class I		45740	46426	46890	47359
Class II		47572	48286	48768	49256
Class III		49404	50145	50647	51153
<b>(b) SUPERINTENDENT (as defined)</b>					
Class I		41168	41786	42204	42626
Class II		41772	42399	42823	43251
<b>(c) SUPERVISOR (as defined)</b>					
Class I		38745	39326	39719	40116
Class II		39347	39938	40337	40740
<b>(d) DRAFTING ASSISTANT</b>					
Class I					
16 years and under	55%	10276	10505	10610	10716
17 years	63%	11771	12033	12153	12275
18 years	73%	13639	13943	14082	14223
19 years	84%	15695	16044	16204	16366
20 years	93%	17376	17763	17941	18120

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The abovementioned percentages shall be of a Clerical Assistant, Class I and IA, 21 years and over, 1st year of service, as appearing in the Clerical Employees Award, being an award of the Tasmanian Industrial Commission.

21 years and over

1st year of service	20044	20460	20665	20871
2nd year of service	20475	20891	21100	21311
3rd year of service	20907	21323	21536	21752
4th year of service	21333	21749	21966	22186
5th year of service and thereafter	21883	22299	22522	22747

**PROVIDED** that an employee shall not progress beyond the salary for the fourth year of service unless in the opinion of the controlling authority, the duties and responsibilities of such employee warrant such progression.

Class II

1st year of service	22417	22833	23061	23292
2nd year of service	22961	23377	23611	23847
3rd year of service	23756	24172	24414	24658

Class III

1st year of service	24150	24566	24812	25060
2nd year of service	24595	25011	25261	25514
3rd year of service	25045	25461	25716	25973
4th year of service	25498	25914	26173	26435
5th year of service and thereafter	25956	26372	26636	26902

**PROVIDED** that an employee shall not be appointed to Class III unless such employee has had at least five years adult experience in drafting duties.

**(e) TRAINEE DRAFTING EMPLOYEE**

16 years and under	55%	10900	11129	11240	11352
17 years	63%	12485	12747	12875	13004
18 years	73%	14467	14771	14919	15068
19 years	84%	16647	16997	17167	17338
20 years	93%	18431	18818	19006	19196

The abovementioned percentages shall be of an Administrative and Clerical Employee, Class I, 21 years and over, 1st year of service as described in Clause 8(g) of this award.

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21 years and over

1st year of service	21333	21749	21966	22186
2nd year of service	21883	22299	22522	22747
3rd year of service	22417	22833	23061	23292
4th year of service	22961	23377	23611	23847
5th year of service and thereafter	23756	24172	24414	24658

**PROVIDED** that a Trainee Drafting Employee who successfully completes the prescribed course of study (as set forth in Clause 13 of this award) within five years of the commencement of such course and before qualifying for promotion to Drafting Employee Class I/II may, on the determination of the controlling authority, be paid the rate on the salary scale which is one year in advance of such employee's age qualification.

**(f) DRAFTING EMPLOYEE**

Class I/II

1st year of service	24979	25395	25649	25905
2nd year of service	25552	25968	26228	26490
3rd year of service	26131	26547	26812	27081
4th year of service	26706	27122	27393	27667
5th year of service	27280	27696	27973	28253
6th year of service	28420	28846	29135	29426
7th year of service	29034	29470	29764	30062
8th year of service and thereafter	29645	30090	30391	30695

Class III

1st year of service	30284	30738	31045	31356
2nd year of service	31016	31482	31796	32114
3rd year of service and thereafter	31742	32218	32540	32866

Class IV

Grade 1

1st year of service	32192	32675	33001	33331
2nd year of service and thereafter	32878	33371	33705	34042

**(g) ADMINISTRATIVE AND CLERICAL EMPLOYEE**

Class I

16 years of age	55%	10900	11129	11240	11352
17 years	63%	12485	12747	12875	13004
18 years	73%	14467	14771	14919	15068
19 years	84%	16647	16997	17167	17338
20 years	93%	18431	18818	19006	19196

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The abovementioned percentages shall be of an Administrative and Clerical Employee, Class I, 21 years and over, 1st year of service as described in Clause 8(g) of this award.

21 years and over

1st year of service	19818	20234	20436	20641
2nd year of service	20320	20736	20943	21153
3rd year of service	20816	21232	21444	21659
4th year of service	21327	21743	21960	22180
5th year of service	21856	22272	22495	22720
6th year of service	22367	22783	23011	23241
7th year of service and thereafter	22935	23351	23585	23820

Class II

1st year of service	23772	24188	24430	24674
2nd year of service	24498	24914	25163	25415
3rd year of service and thereafter	25213	25629	25885	26144

Class III

1st year of service	25933	26349	26612	26879
2nd year of service	26652	27068	27339	27612

Class IV

1st year of service	27360	27776	28054	28334
2nd year of service and thereafter	28062	28483	28768	29055

**(h) ASSISTANT ACCOUNTANT**

Class I

1st year of service	31715	32190	32512	32837
2nd year of service	32481	32968	33298	33631
3rd year of service and thereafter	33239	33738	34075	34416

Class II

1st year of service	33998	34508	34854	35202
2nd year of service	34613	35132	35483	35838
3rd year of service and thereafter	35376	35906	36265	36628

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**(i) TECHNICAL EMPLOYEE**

Class I

16 years and under	55%	10900	11129	11240	11352
17 years	63%	12485	12747	12875	13004
18 years	73%	14467	14771	14919	15068
19 years	84%	16647	16997	17167	17338
20 years	93%	18431	18818	19006	19196

The abovementioned percentages shall be of an Administrative and Clerical Employee, Class I, 21 years and over, 1st year of service as described in Clause 8(g) of this award.

21 years and over

1st year of service	19844	20260	20463	20667
2nd year of service	20375	20791	20999	21209
3rd year of service	20905	21321	21534	21750
4th year of service and thereafter	21445	21861	22080	22300

**PROVIDED** that employees who have been continuously engaged and who were appointed prior to 1 December 1985, and classified in accordance with the rates defined for employees below 21 years of age in Class I shall, on reaching 21 years of age advance to the classification level equating to the third year of service for employees 21 years and over.

Class II

1st year of service	21888	22304	22527	22752
2nd year of service and thereafter	22414	22830	23058	23289

Class III

Grade 1	22862	23278	23511	23746
Grade 2	23507	23923	24162	24404

Class IV

Grade 1	24109	24525	24770	25018
Grade 2	24677	25093	25344	25597

Class V

Grade 1	25171	25587	25843	26101
Grade 2	25741	26157	26419	26683

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Class VI

Grade 1	26230	26646	26912	27182
Grade 2	26796	27212	27484	27759

Class VII

Grade 1	27275	27691	27968	28248
Grade 2	27842	28260	28542	28828

Class VIII

Grade 1	28320	28744	29032	29322
Grade 2	28931	29365	29658	29955

Class IX

Grade 1	29463	29905	30204	30506
Grade 2	30075	30527	30832	31140

Class X

Grade 1	30604	31063	31374	31688
Grade 2	31216	31685	32001	32321

Class XI

Grade 1	31752	32229	32551	32876
Grade 2	32360	32846	33174	33506

Class XII

Grade 1	32899	33393	33727	34064
Grade 2	33495	33997	34337	34681

Class XIII

Grade 1	34040	34551	34896	35245
Grade 2	34645	35165	35516	35871

**(j) GENERAL EMPLOYEE**

Class I

16 years and under	55%	10276	10505	10610	10716
17 years	63%	11771	12033	12153	12275
18 years	73%	13639	13943	14082	14223
19 years	84%	15695	16044	16204	16366
20 years	93%	17376	17763	17941	18120



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The abovementioned percentages shall be of the Clerical Assistant, Class I and IA, 21 years and over, 1st year of service as appearing in the Clerical Employees Award, being an award of the Tasmanian Industrial Commission.

21 years and over:

1st year of service	18109	18525	18710	18897
2nd year of service	18338	18754	18942	19131
3rd year of service	18567	18983	19173	19365
4th year of service and thereafter	18800	19216	19408	19602

**PROVIDED** that the commencing salary and incremental progression of a Class I employee shall be as determined by the controlling authority, having regard to the duties responsibilities and practical experience of such employee in the relevant field of work.

Class II

Grade 1	19034	19450	19645	19841
Grade 2	19268	19684	19881	20080

Class III

Grade 1	19510	19926	20125	20327
Grade 2	19730	20146	20347	20551

Class IV

Grade 1	19961	20377	20581	20787
Grade 2	20186	20602	20808	21016

Class V

Grade 1	20419	20835	21043	21254
Grade 2	20640	21056	21267	21479

Class VI

Grade 1	20872	21288	21501	21716
Grade 2	21108	21524	21739	21957

Class VII

Grade 1	21357	21773	21991	22211
Grade 2	21583	21999	22219	22441

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Class VIII

Grade 1	21827	22243	22465	22690
Grade 2	22063	22479	22704	22931

Class IX

Grade 1	22298	22714	22941	23171
Grade 2	22536	22952	23182	23413

Class X

Grade 1	22775	23191	23423	23657
Grade 2	23006	23422	23656	23893

Class XI

Grade 1	23245	23661	23898	24137
Grade 2	23737	24153	24395	24638

Class XII

Grade 1	23975	24391	24635	24881
Grade 2	24210	24626	24872	25121

Class XIII

Grade 1	24445	24861	25110	25361
Grade 2	24679	25095	25346	25599

Class XIV

Grade 1	24921	25337	25590	25846
Grade 2	25151	25567	25823	26081

Class XV

Grade 1	25391	25807	26065	26326
Grade 2	25632	26048	26308	26572

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**(k) KEYBOARD AND OFFICE ASSISTANT EMPLOYEES**

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

Class I

Grade 1

16 years and under	55%	10695	10924	11033	11144
17 years	63%	12251	12513	12638	12765
18 years	73%	14196	14499	14644	14791
19 years	84%	16335	16684	16851	17019
20 years	93%	18085	18472	18656	18843

The abovementioned percentages shall be of a Keyboard and Office Assistant Employee, Class I, Grade 1, 21 years and over as described in Clause 8(k) of this award.

21 years and over		19446	19862	20061	20261
Grade 2		19697	20113	20314	20517
Grade 3		19947	20363	20567	20772

**PROVIDED** that an employee appointed as a stenographer shall on exceeding 20 years of age be entitled to commence on the salary established in this award at the 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:-
- (1) 80 words per minute - \$426 per annum
  - (2) 100 words per minute - \$848 per annum
  - (3) 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:-
  - (1) 40 words per minute - \$331 per annum
  - (2) 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:-
  - (1) one class of machine with up to 10 programmes, functions or systems - \$426 per annum
  - (2) 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 an allowance at the rate of:-
  - (1) up to 2 years experience on reel-to-reel or cassette type recorders - \$640 per annum
  - (2) over 2 years experience on reel-to-reel or cassette type recorders - \$1276 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.

Class II

Grade 1	20193	20609	20815	21023
Grade 2	20441	20857	21066	21276
Grade 3	20687	21103	21314	21527
Grade 4	20937	21353	21567	21782

Class III

Grade 1	21204	21620	21836	22055
Grade 2	21461	21877	22096	22317

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**PROVIDED** that the following conditions shall apply to employees 21 years of age and above:-

- (i) an employee who is a typist shall not be promoted or progress beyond Class I, Grade 2, unless such employee has satisfactorily passed a typing test of 40 words per minute;
- (ii) an employee 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 employee shall not be appointed as a stenographer unless such employee has passed a stenography test of 80 words per minute;
- (iv) an employee appointed 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:
  - (1) For 100 words per minute \$426 per annum
  - (2) For 120 words per minute \$640 per annum
- (v) no stenographer shall be appointed to a position above Class III Grade 1, unless having first passed a stenography test of 100 words per minute;
- (vi) a machinist who has served twelve months on the maximum of Class II, Grade I, may progress grade by grade to Class III, Grade 2, subject to a certificate issued by the controlling authority, that the employee will be required to undertake the duties of an employee of that class.

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

#### **(I) PART TIME AND CASUAL EMPLOYEES**

Employees engaged on a part-time or casual basis shall have their salaries determined in the following manner:-

- (i) Part-time employees shall be paid in the proportion that the hours worked bear to the normal weekly rate prescribed for the equivalent full-time employee.
- (ii) Casual employees shall be paid in the proportion that the hours worked bear to the normal weekly rate prescribed for the equivalent full-time employee, plus a 20 per centum loading to compensate for annual leave, sick leave and public holidays.
- (iii) The normal weekly salary rate means 1/52nd of a full-time employee's annual salary exclusive of allowances and overtime.

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**PROVIDED** that a casual employee's terms of engagement shall be by the hour with a minimum payment of 3 hours for each day worked.

**PROVIDED ALWAYS** that persons engaged as temporary part-time and casual employees prior to 1 December 1985 shall not suffer any loss of entitlement through the implementation of this award.

**(m) SUPPORTED WAGE SYSTEM**

(i) Eligibility criteria

Subject to this subclause an employer may engage employees at a supported wage rate (as set out in paragraph (iii) of this subclause) 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 subclause 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 subclause 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.

For the purposes of this subclause:

- (1) **"Supported Wage System"** means the Commonwealth Government System to promote employment for people who cannot work at full award wages because of a disability.

**"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.

- (3) **"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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(4) **"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.

(iii) Supported wage rates

Employees to whom this subclause 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°/a	50%
60%	60%
70%	70%
80%	80%
90%	90%

(Provided that the minimum amount payable shall be not less than \$45 per week.)

(iv) 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:

- (1) the employer and a union party to the award, in consultation with the employee or, if desired by any of these;
- (2) the employer and an accredited Assessor from a panel agreed by parties to the award and the employee.

(v) Lodgment of assessment instrument

- (1) All assessment instruments under the conditions of this subclause, 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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- (2) 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.

(vi) 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.

(vii) 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 subclause 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.

(viii) Workplace adjustment

An employer wishing to employ a person under the provisions of this subclause 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.

(x) Trial Period

- (1) 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 subclause for a trial period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding 4 weeks) may be needed.
- (2) 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 (iv) and (v).
- (3) 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.
- (4) Work trials should include induction or training as appropriate to the job being trialed.



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- (5) 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 paragraph (iii) hereof."

**OPERATIVE DATE**

This Order shall come into operation on 23 February 1996.

R J Watling  
**COMMISSIONER**

16 April 1996