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.

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.712 of 1987

IN THE MATTER OF AN APPLICATION 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 **PARLIAMENTARY STAFF AWARD** BY DELETING ALL THE CLAUSES CONTAINED THEREIN AND INSERTING IN LIEU THEREOF THE FOLLOWING:

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.

1. TITLE

This award shall be known as the "Parliamentary Staff Award".

2. SCOPE

Subject to the exceptions and conditions contained herein, this award shall apply to all persons permanently or temporarily employed under the provisions of the Parliamentary Privilege Act 1898, in the Legislative Council or the House of Assembly respectively, who are employees within the meaning of Part V of the Public Service Act 1973, and who occupy a position covered by this award.

3. ARRANGEMENT

SUBJECT MATTER	CLAUSE NO.
Title	1
Scope	2
Arrangement	3
Date of Operation	4
Supersession and Savings	5
Parties and Persons Bound	6
Definitions	7
Salaries	8
Allowances	9
Deductions from Salary	10
Hours of Duty	11
Overtime and Extra Remuneration	12
New Appointments and Promotions	13
Recreation Leave Allowance	14
Salary Increments	15

4. DATE OF OPERATION

This award shall come into operation from the beginning of 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.

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.

5. SUPERSESSION AND SAVINGS

This Award incorporates and supersedes the Parliamentary Staff Award (No. 1 of 1986 - Consolidated) and the amendments (No. 2 of 1986 and No. 1 of 1987) made thereto.

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

PROVIDED FURTHER, that the provisions of the Parliamentary Privilege Act 1898, and the regulations, by-laws or rules (if any) made thereunder, shall continue to apply to the officers or classes of officer to whom and to which respectively this award applies, where such Act, regulations, by-laws and rules are applicable, save in so far as the salaries, together with other fees or allowances (if any) to be received by, and the conditions of service of such officers or classes of officer are inconsistent with the provisions of this award.

6. PARTIES AND PERSONS BOUND

Unless otherwise specified, this award shall have application 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 Heads of Tasmanian Government Departments' Association and the Officers of that organisation and their members for whom classifications appear in this award;

(c) the President of the Legislative Council, in relation to all officers (as defined) for whom classifications appear in this award, whether members of a Registered Organisation or not;

(d) the Speaker of the House of Assembly, in relation to all officers (as defined) for whom classifications appear in this award, whether members of a Registered Organisation or not.

7. DEFINITIONS

In this award, unless the contrary intention appears:

"Clerk of a House" means an officer holding the position of either Clerk of the Legislative Council, or Clerk of the House of Assembly;

"Controlling Authority" means in relation to staff of -

(a) the Legislative Council - the President of the Council; and
(b) the House of Assembly - the Speaker of the House;

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.

"House" means a House of Parliament of this State;

"Junior Officer" means an officer who is under the age of 21 years;

"Officer" means a person permanently or temporarily employed under the provisions of the Parliamentary Privilege Act 1898, in the Legislative Council or the House of Assembly respectively, who, being an employee within the meaning of Part V of. the Public Service Act 1973, is, on the date upon which this award comes into force, occupying a position covered by this award, or who after that date is appointed to one of such positions.

8. SALARIES

An officer holding a position classified or graded within a class or grade prescribed in this award shall, subject to satisfying the prescribed requirements, be paid at the salary rate determined for the relevant classification, as hereinafter set forth.

		Salary per Annum $
A.	**ADULT OFFICERS**	
	PART I - CLERK OF A HOUSE	
1.	Clerk of a House	50551
	PART II – OTHER PARLIAMENTARY STAFF	
2.	Clerk Assistant	
	First year of service	33685
	Second year of service	34488
	Third year of service	35288
	Fourth year of service and thereafter	36086
3.	Second Clerk Assistant	
	First year of service	26289
	Second year of service	27008
	Third year of service	27731
	Fourth year of service	28452
	Fifth year of service and thereafter	29174
4.	Clerk of Committees	
	First year of service	25508
	Second year of service	26289
	Third year of service and thereafter	27008

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.

5. Third Clerk at the Table

First year of service	23032
Second year of service	23651
Third year of service	24270
Fourth year of service	24895
Fifth year of service and thereafter	25508

6. Clerk of Papers and Records and Assistant Clerk of Committees-Legislative Council

First year of service	20203
Second year of service	20854
Third year of service	21516
Fourth year of service	22156
Fifth year of service and thereafter	22806

7. Clerk of Papers

Class I

First year of service	15513
Second year of service	15943
Third year of service	16371
Fourth year of service	16823
Fifth year of service	17272
Sixth year of service	17723
Seventh year of service and thereafter	18189

Class II

First year of service	19545
Second year of service	20203
Third year of service	20854
Fourth year of service and thereafter	21516

8. Assistant Clerk of Papers/ Office Keeper-House of Assembly

First year of service	18135
Second year of service	18353
Third year of service and thereafter	18563

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.

9. Head Messenger and Chamber Attendant

First year of service	18135
Second year of service	18353
Third year of service	18563

10. Messenger/Chamber Attendant

First year of service	16616
Second year of service	16835
Third year of service and thereafter	17060

11. Cleaner

First year of service	16183
Second year of service	16394
Third year of service and thereafter	16616

12. Catering Officer

Class I

First year of service	21673
Second year of service	22104
Third year of service and thereafter	22618

Class II

First year of service	22934
Second year of service	23445

13. Administrative and Clerical Officer

Class I

First year of service	15660
Second year of service	16117
Third year of service	16568
Fourth year of service	17034
Fifth year of service	17516
Sixth year of service	17981
Seventh year of service and thereafter	18499

Class II

First year of service	19018
Second year of service	19679
Third year of service and thereafter	20330

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.

Class III	
First year of service	20986
Second year of service and thereafter	21641
Clerical Assistant	
Class I	
First year of service	14626
Second year of service	14855
Third year of service	15091
Fourth year of service and thereafter	15321
Class II	
First year of service	15550
Second year of service	15777
Third year of service and thereafter	16001
Class III	
First year of service	16227
Second year of service	16451
Third year of service and thereafter	16678

14. Office Assistant/Typist/Stenographer/ Audio Typist/Secretarial Assistant -

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

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.

Class IV	17866
Class V	
Grade 1	18102
Grade 2	18572
Class VI	
Grade 1	19395
Grade 2	20110
Class VII	
Grade 1	20467
Grade 2	20828

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 $181 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) 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.

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.

(viii) Except where special circumstances exist, an officer required to permanently supervise the work of 2 to 4 other persons shall not be classified above Class V.

(ix) An officer who is a typist and who is regularly employed on audio work, or a typist who 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 (ii), (v) or (ix) hereof shall, in each case, he in substitution for and not cumulative one upon the other.

PART III

15.	Editor of Debates	37889
16.	Deputy Editor of Debates	
	Class I	
	First year of service	32177
	Second year of service and thereafter	32886
	Class II	33598
17.	Hansard Sub-Editor/Trainee Sub-Editor	
	Class I	
	Grade 1	15646
	Grade 2	16563
	Grade 3	17515
	Grade 4	18499
	Class II	
	Grade 1	19018
	Grade 2	19678
	Grade 3	20330
	Class III	
	Grade 1	20986
	Grade 2	21642

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.

Class IV	
Grade 1	25508
Grade 2	26289
Grade 3	27008

PROVIDED that progression of an employee to Class II and above shall be as determined by the controlling authority, having regard to the duties and responsibilities of such employee.

PROVIDED FURTHER that a n officer classified to a position up to and including Class III Grade,2 who spends the major portion of his time checking transcripts of Parliamentary debates necessitating the use of reel-to-reel or cassette type recorders may, on the determination of the controlling authority, be paid an allowance at the rate of:

(a) Up to 2 years experience in checking transcripts using reel-to-reel or cassette type recorders - $588 per annum;

(b) Over 2 years experience in checking transcripts using reel-to-reel or cassette type recorders - $1174 per annum.

18. Secretary-Joint House Committee

Class I	
First year of service	32177
Second year of service and thereafter	32886
Class II	33598

B. JUNIOR OFFICER

Scale 1 - Junior officers appointed to a position where the Schools Board Certificate endorsed "A" of the Schools Board of Tasmania or equivalent qualification is a prerequisite to appointment to that position.

Age	Salary per Annum $
16 years and under	8613
17 years	9866
18 years	11432
19 years	13154
20 years	14564

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.

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 - Junior officers appointed to a position not classified under Scale 1 or Scale 3.

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 - Junior officers appointed to a position as either a typist, machinist or office assistant.

Age	
16 years and under	8427
17 years	9652
18 years	11184
19 years	12870
20 years	14249

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.

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

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) 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) or (iii) hereof, shall in each case be in substitution for and not cumulative one upon the other.

PROVIDED FURTHER that a married officer with a dependent spouse or a dependent child may, on the determination of the controlling authority, be paid the salary lie would normally receive on attaining the age of 21 years.

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.

9. ALLOWANCES

(i) Travelling Allowances:

Until otherwise determined by the Tasmanian Industrial Commission, the travelling allowances payable to officers covered by this award shall be at the rates and in accordance with the terms and conditions for the time being provided by the Parliamentary Privilege Act 1898;

(ii) Other Allowances:

Until otherwise determined by the Tasmanian Industrial Commission, allowances for meals, lodging, accommodation, temporary residence away from headquarters, district residence, Mainland residence, proficiency, relieving duty, higher duty, extra duty, mileage, use of privately-owned motor vehicle on official duties, 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 provided by the Parliamentary Privilege Act 1898.

10. DEDUCTIONS FROM SALARY

Until otherwise determined by the Tasmanian Industrial 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 under the Parliamentary Privilege Act 1898 by any regulations, rules or by-laws made under such Act.

11. HOURS OF DUTY

Until otherwise determined by the Tasmanian Industrial Commission, the ordinary hours of duty (exclusive of meal periods), and the times within such hours shall be worked shall be in accordance with hours of duty for the time being prescribed under the Parliamentary Privilege Act 1898, by any regulations, rules or by-laws made under such Act.

12. OVERTIME AND EXTRA REMUNERATION

Until otherwise determined by the Tasmanian Industrial Commission, overtime payments and the rates of remuneration and conditions in respect of 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 rates and in accordance with the terms and conditions for the time being prescribed under the Parliamentary Privilege Act 1898, by any regulations, rules or by-laws made under such Act.

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.

13. NEW APPOINTMENTS AND PROMOTIONS

The commencing salary of a person or officer either on first appointment or on promotion to a position classified 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 case where, in the opinion of the controlling authority, the qualifications and practical experience of such person or officer in the appropriate field in which lie seeks appointment, justify a higher salary.

14. 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 1986 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 year of 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; and

(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.

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.

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.

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.

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 this award 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.

15. 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 scale 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.

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.

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 his previous 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.

R.K. Gozzi
COMMISSIONER

25 May 1987