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**IN THE TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**T.2399 of 1990**

**IN THE MATTER OF AN APPLICATION  
BY THE TASMANIAN PUBLIC SERVICE  
ASSOCIATION TO VARY NOMINATED  
PUBLIC SECTOR AWARDS**

**RE: STRUCTURAL EFFICIENCY  
PRINCIPLE**

**ORDER –**

**No. 1 of 1990  
(Consolidated)**

AMEND THE **TOURISM TASMANIA STAFF AWARD** BY DELETING ALL CLAUSES CONTAINED THEREIN AND INSERT IN LIEU THEREOF THE FOLLOWING:

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## **1. TITLE**

This award shall be known as the "Tourism Tasmania Staff Award".

## **2. SCOPE**

Subject to any exceptions and conditions contained herein, this Award shall apply to all persons for whom classifications appear in this award and who are employed under the Tasmanian State Service Act 1984, in Tourism Tasmania.

## **3. ARRANGEMENT**

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## **4. DATE OF OPERATION**

This award shall come into operation from the beginning of the first full pay period to commence on or after 18 July 1990.

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**PROVIDED** that it is a term of this award (arising from the decision of the Tasmanian Industrial Commission State Wage Case of 30 October 1989) that the union(s) undertake(s), for the duration of the principles determined by that decision, not to pursue any extra claims, award or overaward, except where consistent with those principles.

## **5. SUPERSESION AND SAVINGS**

- (a) This award replaces and supersedes the following awards: No. 4 of 1989 (Consolidated).
- (i) the Clerical Employees Award No. 1 of 1990 - (Consolidated);
  - (ii) the Keyboard and Office Assistants Award No. 2 of 1990 - (Consolidated);
  - (iii) the General Officers Award No. 1 of 1990 - (Consolidated);
- and
- (iv) the General Conditions of Service Award No. 5 of 1990 - (Consolidated) thereto;

insofar as those awards apply to employees in Tourism Tasmania.

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

- (b) Employees engaged under Section 34 of the Tasmanian State Service Act 1984 prior to the operation of this award shall be entitled to have their name registered on the Tasmanian State Service unattached list as per Section 51 of the Act where their employment has been terminated under Clause 18 of this Award.

## **6. PARTIES AND PERSONS BOUND**

This award shall apply to, and be binding upon:

- (a) all employees (whether members of a Registered Organisation or not) for whom classifications appear in this award.
- (b) the following organisation of employees in respect of whom award interest has been determined:

the Tasmanian Public Service Association and the Officers of that organisation and their members for whom classifications appear in this award;

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- (c) the Controlling Authority having an interest in this award is the Minister responsible for the administration of the Tasmanian State Service Act 1984, in relation to all employees (as defined).

## **7. DEFINITIONS**

In this award unless the contrary intention appears:

- (a) **'Employee'** means a person employed under the provisions of Section 38 of the Tasmanian State Service Act 1984 and shall include persons who were appointed under the provisions of Section 34 of the Act prior to the operation of this award.
- (b) **'Part-time employee'** means a person other than a full-time or casual employee, engaged to work regularly in each pay period for less hours than an equivalently classified full-time employee.
- (c) **'Full-time employee'** means a person engaged to work for the full ordinary hours prescribed.
- (d) **'Casual employee'** means a person engaged to work on an irregular basis by the controlling authority as and when required but does not include any person employed on a part-time or full-time basis.
- (e) **'Temporary employee'** means a person employed by the controlling authority who either:
- (i) is engaged to relieve a full-time or part-time employee for specific periods of leave; or
  - (ii) is engaged temporarily for specific duties over a fixed time period determined by the controlling authority.

**PROVIDED** that the period of temporary employment shall not exceed 12 months duration unless there is agreement between the employee, the controlling authority and where appropriate the employee organisation.

- (f) **'Term appointment'** means a contract of employment for a fixed period of time as agreed between the controlling authority and employee concerned. Positions covered by term appointment in Tourism Tasmania are referred to in Appendix 'A' of this award.
- (g) **'Controlling Authority'** means the Minister administering the Tasmanian State Service Act 1984.
- (h) **'Shiftworker'** and **'Seven Day Shiftworker'** shall be as defined in Clause 7 - Definitions of the General Conditions of Service Award.'

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- (i) **'Travel Consultant Level 2'** means an employee who is engaged to undertake on-the-job training within a travel centre for the purpose of developing sufficient skills and knowledge in selling travel product/s to clients and providing tourism based information to clients and industry agents.
- (j) **'Travel Consultant Level 1'** means an employee who is engaged in selling travel product/s and providing tourism based information to clients and industry agents. Travel consultants are also responsible for booking reservations, related clerical/computer work, promotional duties and assisting in branch accounting.
- (k) **'Senior Travel Consultant'** means either -
  - (i) an employee who is required to undertake the role of second-in-charge of a section, a role which includes dealing with complex sales enquiries, direct staff supervision and training; or
  - (ii) an employee who is engaged to undertake a specialist travel consultancy function not provided for elsewhere within the travel centre.
- (l) **'Supervising Travel Consultant'** means either -
  - (i) an employee engaged to manage a section within a travel centre and whose responsibilities shall include staff supervision and training; or
  - (ii) an employee engaged as second-in-charge within a travel centre and whose responsibilities include staff supervision, training, dealing with complex sales matters, branch accounting and associated administrative matters; or
  - (iii) an employee engaged to provide specialist support for management of a travel centre through the undertaking of duties and functions not catered for by other sections within the centre.

## **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:

- (a) An employee paid in accordance with the rates established for persons under 21 years of age in Class I of the classification scales under Clause 8A and 8B of this Award shall on being promoted to a classification above Class I be paid at the salary rate prescribed for the position to which he/she has been appointed.

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(b) An employee paid in accordance with the rates established for persons under 21 years of age in Class I of the classification scale under Clause 8C in this Award shall on being promoted to a classification above Class I receive the salary rate and any proficiency allowances or conditions applicable to the position to which he/she has been appointed.

**PROVIDED ALWAYS** that an employee under 21 years of age with dependents may, on the determination of the controlling authority, be paid the salary he/she would normally receive on attaining the age of 21 years.

For the purposes of this proviso, a dependent, in relation to an employee means:

- (a) in the case of a relative of that employee, a person who normally resides with that employee; or
- (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 dependant on that employee for financial support.

**'Relative'** as referred to in paragraph (a) above means spouse, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, child, adopted child and foster child of the employee's spouse.

**PROVIDED ALSO** that it is a condition of the 4% second tier adjustment applied to the wage rates 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 (as if the Agreement specifically applied to employees covered by this award).

**A. ADMINISTRATIVE AND CLERICAL EMPLOYEES**

	Salary per annum \$
Class I	
16 years and under	10411
17 years	11925
18 years	13818
19 years	15900
20 years	17604

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21 years and over	
1st year of service	18929
2nd year of service	19419
3rd year of service	19902
4th year of service	20401
5th year of service	20917
6th year of service	21416
7th year of service and thereafter	21970
Class II	
1st year of service	22786
2nd year of service	23495
3rd year of service and thereafter	24192
Class III	
1st year of service	24895
2nd year of service and thereafter	25596
Class IV	
1st year of service	26287
2nd year of service and thereafter	26981
Class V	
1st year of service	27528
2nd year of service and thereafter	28140
Class VI	
1st year of service	28723
2nd year of service	29310
3rd year of service and thereafter	29893
Class VII	
1st year of service	30484
2nd year of service	31220
3rd year of service and thereafter	31949
Class VIII	
1st year of service	32679
2nd year of service	33269
3rd year of service and thereafter	34003
Class IX	
1st year of service	34585
2nd year of service	35327
3rd year of service and thereafter	36054

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Class X	
1st year of service	36785
2nd year of service and thereafter	37517
Class XI	
1st year of service	38323
2nd year of service and thereafter	39132
Class XII	
1st year of service	39933
2nd year of service and thereafter	40738
Class XIII	42360
Class XIV	43965
Class XV	45726
Class XVI	47487
Class XVII	49078
Class XVIII	50810
Class XIX	52807
Class XX	54800
Class XXI	56798

**B. TRAVEL CONSULTANTS**

Trainee Travel Consultant

16 years and under	10411
17 years	11925
18 years	13818
19 years	15900
20 years	17604
21 years and over:	
1st year of service	18929
2nd year of service	19902
3rd year of service and thereafter	20917

**PROVIDED** that an employee classified as a Trainee Travel Consultant may be advanced to Travel Consultant where in the opinion of the controlling authority the experience, qualifications and/or the work performance of the employee during a period of training warrant such advancement.



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Travel Consultant	
1st year of service	23495
2nd year of service and thereafter	25596
Senior Travel Consultant	
1st year of service	26981
2nd year of service and thereafter	28140
Supervising Travel Consultant	
1st year of service	29310
2nd year of service and thereafter	29893

**C. KEYBOARD EMPLOYEES AND OFFICE ASSISTANTS**

Classifications

- 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	10211
17 years	11697
18 years	13553
19 years	15595
20 years	17266
21 years and over	18566
Grade 2	18811
Grade 3	19055

**PROVIDED** that an employee employed as a stenographer shall on exceeding 20 years of age be entitled to commence on the salary established in this Award for the Class I Grade 2 level.

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**PROVIDED ALWAYS** that an employee paid in accordance with rates prescribed for employees not exceeding 20 years of age in Class I of the scale above 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:
  - (a) 80 words per minute - \$416 per annum
  - (b) 100 words per minute - \$827 per annum
  - (c) 120 words per minute - \$1245 per annum
  
- (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:
  - (a) 40 words per minute - \$323 per annum
  - (b) 50 words per minute - \$416 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 she/he 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 - \$416 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 - \$827 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:
  - (a) up to 2 years experience on reel-to-reel or cassette type recorders - \$624 per annum
  - (b) over 2 years experience on reel-to-reel or cassette type recorders - \$1245 per annum

**PROVIDED ALSO** 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	19295
Grade 2	19537
Grade 3	19777
Grade 4	20020

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Class III	
Grade 1	20281
Grade 2	20532
Grade 3	20785
Grade 4	21043
Class IV	21292
Class V	
Grade 1	21546
Grade 2	22048
Class VI	
Grade 1	23190
Grade 2	23956
Class VII	
Grade 1	24338
Grade 2	24726
Class VIII	25110

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

- (a) an employee who is a typist shall not be promoted or progress beyond Class I Grade 2 unless she/he has satisfactorily passed a typing test of 40 words per minute;
- (b) an employee who is a typist appointed to a Class I position who has passed a typist test of 50 words per minute shall be paid in addition an allowance of \$209 per annum;
- (c) an employee who is a typist shall not be appointed to a position above Class III Grade 4 unless she/he has passed a typing test of 50 words per minute;
- (d) an employee shall not be appointed as a stenographer unless she/he has passed a stenography test of 80 words per minute;
- (e) 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:
  - (i) for 100 words per minute - \$416 per annum
  - (ii) for 120 words per minute - \$624 per annum
- (f) 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;

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- (g) a machinist who has served for 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 Agency, and with the concurrence of the controlling authority, that the employee will be required to undertake the duties of an employee of that class;
- (h) except in the case of secretarial assistant, no employee shall be appointed above Class IV unless required to permanently supervise the work of other staff;
- (i) except where special circumstances exist, an employee required to permanently supervise the work of two to four other persons shall not be classified above Class V;
- (j) an employee who is an audio 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
  - (i) up to 2 years experience on reel-to-reel or cassette-type recorders - \$624 per annum;
  - (ii) over 2 years experience on reel-to-reel or cassette-type recorders - \$1245 per annum.

**PROVIDED ALWAYS** that the proficiency allowances more particularly set forth in either provisos (b), (e) or (j) hereof shall, in each case be in substitution for, and not cumulative one upon the other.

**D. STORES OFFICERS**

	Salary per annum \$
1st year of service	19515
2nd year of service	19741
3rd year of service	19957
4th year of service and thereafter	20187

**E. PART-TIME AND CASUAL EMPLOYEES**

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

- (a) Part-time employees engaged to work 15 hours or more per week, shall receive salaries and other entitlements in the proportion that the hours worked bear to the normal weekly rate prescribed for the equivalent full-time employee.

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- (b) Part-time employees working less than 15 hours per week, 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.
- (c) 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.
- (d) The normal weekly salary rate means 1/52nd of a full-time employee's annual salary exclusive of allowances and overtime.

**PROVIDED** that a casual employee's terms of engagement shall be by the hour with a minimum payment of three hours for each day worked, however, where work practices are such that it is considered inappropriate to apply the conditions stipulated by this proviso, such conditions may be varied by agreement between the employee organisation and controlling authority.

## **9. CONDITIONS OF SERVICE**

- A. The following allowances and conditions will be in accordance with the General Conditions of Service Award:
  - (a) First Aid Certificate Allowance;
  - (b) Location Allowances (excepting Mainland Allowance);
  - (c) Meal Allowances;
  - (d) Recreation Leave Allowance;
  - (e) Training Courses and Conferences Allowance;
  - (f) Travelling Allowances;
  - (g) Hours of Duty and Penalty Payments; and
  - (h) Industrial Clothing.
- B. The following allowances and conditions will be in accordance with the undermentioned Tasmanian State Service Regulations as determined and amended from time to time by the Governor.

Regulation 8 - Authority to Pay

10 - Deductions from Salaries

14 - Definitions

15 - Displacement Allowance

15A - Special Accommodation Allowance

16 - Relocation Expenses

17 - Allowances to Cover Expenses Incurred in the Sale and Purchase of Property

18 - Depreciation Allowances

19 - Cost of Conveyance of Certain Tourism Tasmania Employees

30 - Application for Leave

31 - Leave in Advance

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- 32 - Leave Without Pay
- 33 - State Service Holidays
- 34 - Leave on Resignation or Retirement
- 36 - Period of Recreation Leave
- 37 - Recreation Leave for Certain Employees
- 40 - Head of Agency to Enable Recreation Leave to be Taken
- 46 - Additional Sick Leave for Ex-servicemen or women
- 50 - Special Leave for Participating in Sporting or Cultural Events
- 51 - Leave on Account of Special Circumstances
- 52 - Leave for Jury Service
- 63 - Study Assistance
- 86 - Travelling by Aircraft

## **10. DEFENCE FORCE LEAVE**

Defence Force Leave entitlements for all categories of employment shall be in accordance with Tasmanian State Service Regulation 47.

## **11. GRIEVANCE PROCEDURE**

It is the objective of this procedure to ensure that the employee shall be dealt with in a fair and equitable way and that grievances are resolved through negotiation and discussion between the parties.

- (a) Where an employee feels aggrieved he/she shall in the first instance attempt to resolve the grievance with his/her immediate supervisor. The union's workplace representative may be present if desired by either party.
- (b) If after consultation with the supervisor the employee still feels aggrieved the matter shall be referred to the manager of the section concerned. The union's workplace representative may be present if desired by either party.
- (c) If the grievance remains unresolved then the matter shall be referred to the Head of Agency, or his representative, and an official of the employee organisation.
- (d) It is agreed between the parties to this award that the procedures outlined in items (a) to (c) shall take place over a period not exceeding seven days.
- (e) If after consultations between the Head of Agency or his representative, the employee and the union official, the grievance remains unresolved, the matter depending on its nature may be referred to the Tasmanian Industrial Commission.
- (f) Until the grievance is determined, work shall continue normally in accordance with the custom and practice existing before the grievance arose, while discussions take place.

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- (g) No party shall be prejudiced as to the final settlement by the continuance of work.
- (h) Health and safety issues are exempted from item (f).

## **12. HIGHER DUTIES ALLOWANCE**

### (a) Higher Duties Allowance

- (i) Where an employee is directed by the controlling authority to perform temporarily the duties of an employee with a higher classification for a period of five days or more that employee shall be paid an allowance equal to the difference between the employee's own salary and the minimum salary of the higher position.
- (ii) Where an employee is directed by the controlling authority to perform temporarily a part of the duties of an employee with a higher classification for a period of five days or more, that employee will receive an allowance established by reference to the proportion that the duties assumed bear to the whole of the duties of the higher position and the difference between the employee's substantive salary and the minimum salary of the higher position.
- (iii) Where an employee is promoted to a higher position in which that employee has previously been performing the duties in a temporary capacity, that employee will receive the increment to which the employee would normally have been entitled had the employee been promoted to the position at the commencement of the period of acting duty.
- (iv) Where an employee continues to perform the higher duties as provided for in subclause (a)(i) for a period of more than twelve months an increment if provided for in the higher classification position shall be paid.

**PROVIDED** that no employee shall be entitled to receive any increase in salary by virtue of this subclause, 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.

- (v) For the purpose of this subclause reference to employee does not include temporary or casual employees.

### (b) More Responsible Duties Allowance

- (i) Where, for a period of five days or more an employee is required to perform more responsible duties which are not capable of being paid for in subparagraphs 1.1 and 2.2 above, the controlling authority shall authorise a more responsible duties allowance.

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The allowance shall be established by reference to the value of the more responsible duties involved.

- (ii) For the purpose of this subclause reference to employee does not include temporary or casual employees.
- (c) Effect of Leave Periods
- (i) Where an employee receiving an allowance under subclause (a) and (b) above proceeds on approved leave, sick leave or leave in lieu of overtime, the employee will continue to receive that allowance provided that the duties continue after the period of such leave.
- (d) Overtime
- (i) Payment for overtime shall be at the classification rate inclusive of the allowance provided in subclauses (a) or (b) above.

### **13. HOLIDAYS**

#### PUBLIC HOLIDAYS

- (a) All employees, other than shift workers, casual employees and part-time employees engaged to work less than 15 hours per week shall be entitled to the following holidays without deduction from their fortnightly pays:

Christmas Day, Boxing Day, New Year's Day, Australia Day, Cup Day (half day), Hobart Regatta Day (south of Oatlands), Eight Hour Day, Good Friday, Easter Monday, Easter Tuesday, Anzac Day, Queens Birthday, Show Day (as defined) and the first Monday in November in those districts where Hobart Regatta Day is not observed, or such other day as may be observed in the locality in lieu of any of the aforementioned holidays.

**PROVIDED** that if any other day be, by State Act of Parliament or State proclamation, substituted for any of the abovementioned holidays, the day so substituted shall be observed.

- (b) **'Show Day'** means not more than one local show day per calendar year to be observed on an ordinary working day, other than a Saturday or Sunday, in the city, town or district in which the employee is employed; or such other day which, in the absence of such local show day, is agreed on by the employee and the employer.

**PROVIDED** that the days referred to in subclauses (a) and (b) above will be taken by employees on days recognised as public holidays in the district or locality in which they are employed; and



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**PROVIDED ALWAYS** that where any district or locality recognises less than 12.5 public holidays in a calendar year, employees employed at the travel centre in that district or locality shall have added to their annual leave entitlement the balance, in days or half days, between the total number of public holidays recognised in that district or locality in any one calendar year and the total of 12.5 paid public holidays per calendar year (11.5 paid public holidays in a calendar year in which Anzac Day is observed on a Saturday or Sunday) to which they are entitled under this award.

#### **14. HOURS OF WORK**

- (a) The ordinary hours of work shall be 36.75 hours in each week to be worked between the hours of 8.00 a.m. and 6.00 p.m. Monday to Friday inclusive.

**PROVIDED** that the ordinary hours of work and the normal spread of hours may be restructured as to all or a section of the employees by mutual agreement between the controlling authority, the majority of employees affected and the employee organisation.

**PROVIDED ALWAYS** that in negotiations concerning restructured hours of work the parties shall have regard for the following:

- (i) maximum efficiency of operations within the Agency;
  - (ii) retention of normal productivity levels within the Agency; and
  - (iii) flexibility in any agreement to enable rostered day/s off to be taken on days which may include, but are not necessarily limited to, Monday or Friday and may not necessarily be limited to the same day/s each month.
- (b) An unpaid meal break of at least 30 minutes but not exceeding 60 minutes shall be taken no more than five hours after the commencement of the period of work.

Notwithstanding the above, where agreement is reached between the controlling authority and employee organisation on the restructuring of hours of work the following shall apply:

- (i) no more than ten (10) hours shall be worked in any one day at ordinary rates of pay and no more than one meal break shall be observed; and
- (ii) no more than one hundred and fifty-two (152) hours shall be worked in any two consecutive fortnightly pay periods.

#### **15. LEAVE OF ABSENCE IN CASE OF SICKNESS**

- (a) The sick leave entitlements for employees and term appointees shall be in accordance with Tasmanian State Service Regulation 41.

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(b) The sick leave entitlements for temporary employees shall be in accordance with Tasmanian State Service Regulation 42.

**16. MAINLAND ALLOWANCE**

(1) Where an employee recruited in this State is transferred from this State in the course of his duties to a headquarters situated on the mainland of Australia and is permanently stationed thereat, the following allowances shall apply

(a) Accommodation Allowance

	\$ p.a.
Sydney	9540
Canberra	4187
Melbourne	3736
Adelaide	1166

(b) Excess Costs Allowance

Irrespective of the mainland headquarters concerned, an employee shall be paid an excess costs allowance:

- (i) in the case of an employee with dependants residing with him, at a rate of \$750 per annum;
- (ii) in the case of an employee without dependants, at a rate of \$375 per annum.

**PROVIDED** that an employee with dependants residing with him shall be regarded as an employee without dependants if his spouse, of entitlement arising from her own employment, is in receipt of a mainland allowance.

(2) If in the opinion of the controlling authority, by reason of length of residency of an employee at a mainland headquarters, it is considered that the payment of the allowances specified in subclause (1) is no longer justified, 4 months' notice of intention to withdraw payment of the allowances may be given. Provided that in the event of a dispute relating thereto the matter shall be referred to the Tasmanian Industrial Commission for determination.

(3) Review of Accommodation Allowance

The allowance specified in paragraph (a) of subclause (1) hereof shall be the subject of annual review having regard to the 'Annual Review of Major Residential Property Markets in Australia' published by the Real Estate Institute of Australia.

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## **17. NEW APPOINTMENTS AND PROMOTIONS**

The commencing salary of a person or employee 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 under Clause 8 shall be the minimum salary, except in any case where, in the opinion of the controlling authority, the qualifications and the practical experience of such person or employee in the appropriate field justify a higher salary.

**PROVIDED** that all new appointments and promotions of employees, other than temporary or casual employees, shall be in accordance with merit.

## **18. NOTICE OF TERMINATION**

The controlling authority and all persons employed who are subject to the provisions of this award shall have the right to terminate employment. Such termination, unless otherwise specified in an instrument of appointment or by agreement between the parties shall be effected by two weeks' notice given by either party at any time during the period Monday to Friday or by the payment or forfeiture of a fortnights pay, as the case may be.

This shall not affect the right of the controlling authority to dismiss employees without notice for misconduct. Provided that in such cases the employee shall be paid up to the time of the dismissal only.

## **19. SALARY INCREMENTS**

- (1) Except where otherwise determined by this award, an employee, while holding a position within a class or grade of a classification 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 rate is reached.

**PROVIDED** that an employee who was an employee on the date of this Award shall be entitled to receive such increment on the anniversary of the date upon which he/she received his/her last salary increment in respect of his/her present position.

**PROVIDED ALWAYS** that an employee engaged to work on a part-time basis shall receive such increment on completion of the number of hours that a full-time employee would have worked during the period of one complete year.

- (2) An employee whilst continuing to hold the same 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/her previous salary increment was awarded.

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- (3) Notwithstanding anything contained in this award, no employee shall be entitled to receive any increase in salary by virtue of this clause unless, in the opinion of the controlling authority his/her conduct, diligence and efficiency during the twelve months immediately prior to the date from which such increase would be payable shall have been satisfactory.

## **20. SUSPENSION**

Where the Head of Agency forms the view that an employee or term appointee may be guilty of misconduct he may suspend that person with or without pay.

R.K. Gozzi  
**COMMISSIONER**

15 August 1990

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## **APPENDIX A**

The positions listed hereunder are specified term appointment positions in Tourism Tasmania.

The list as defined may be varied by agreement between the controlling authority and employee organisation.

- (i) General Manager
- (ii) International Sales Manager
- (iii) National Sales Manager
- (iv) Sales and Promotion Officer
- (v) Manager New Zealand  
Manager North America  
Manager Japan
- (vi) Market Development Manager New Zealand
- (vii) Public Relations Manager