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.

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s23 application for an award or variation of an award

Australian Municipal, Administrative, Clerical and Services Union
(T6403 of 1996)

PRINTERS AWARD

Award variation - wage rates - third $8.00 Safety Net Adjustment - increase annual leave loading - consent matter - application granted - award varied - operative date ffpp 2 September 1996

ORDER BY CONSENT -

No. 3 of 1996

AMEND THE **PRINTERS AWARD** IN THE FOLLOWING MANNER:

P053

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. By deleting Clause 8 - Wage Rates and inserting in lieu thereof the following:

"**8. WAGE RATES**

DIVISION A - EMPLOYEES OTHER THAN CLERICAL EMPLOYEES

1. RATES OF PAY

(a) The rates of pay of employees engaged in the printing industry other than those mentioned in Division B - Clerks, shall be in accordance with those prescribed in the following awards made by the Australian Industrial Relations Commission.

(i) Graphic Arts Award, 1957, within a radius of 24.14 km of the G.P.O., Hobart;

(ii) Country Printing Award, 1959, all areas other than those within a 24.14 km radius of the G.P.O., Hobart.

(b) Any disputes arising in respect of the provisions of subclause (a) of this clause, shall be referred to the Tasmanian Industrial Commission whose decision shall be final.

DIVISION B - CLERICAL EMPLOYEES

1. ADULTS

The weekly wage rates set out hereunder shall be the rates payable to adult employees classified herein.

	Base Rate Relativity %	Base Rate $	Safety Net Adjustment $	Weekly Wage Rate $
Adult entry (as defined)				
1st 6 months service	80	333.80	24.00	357.80
2nd 6 months service	85	354.60	24.00	378.60
Grade 1 (as defined)				
1A - 1st 12 months service	87	363.00	24.00	387.00
1B - After 12 months service	90	375.50	24.00	399.50
Grade 2 (as defined)				
2A - 1st 12 months service	92	383.80	24.00	407.80
2B - After 12 months service	95	396.30	24.00	420.30
Grade 3 (as defined)				
3A - 1st 12 months service	97	404.70	24.00	428.70
3B - After 12 months service	100	417.20	24.00	441.20

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.

Grade 4 (as defined)	105	438.10	24.00	462.10
Grade 5 (as defined)	110	458.90	24.00	482.90
Grade 6 (as defined)	115	479.80	24.00	503.80

2. JUNIOR EMPLOYEES

The minimum weekly wage rate that shall be paid to junior clerical employees shall be the undermentioned percentages of the Grade 1, 1A weekly wage rate, as prescribed in subclause 1 - Adults of this Division, adjusted to the nearest 10 cents.

	%	Amount Per Week $387.00
Under 16 years of age	40	154.80
16 to 17 years of age	45	174.20
17 to 18 years of age	55	212.90
18 to 19 years of age	70	270.90
19 to 20 years of age	80	309.60
20 to 21 years of age	90	348.30

PROVIDED that when determining the rate payable to an employee attaining the age of 21 years, who has been employed as a junior clerk in the trades or groups of trades in respect of which awards of the Tasmanian Industrial Commission are established, experience obtained after reaching the age of 18 years shall be counted as adult experience.

3. TRAINEE CLERK (AS DEFINED)

The minimum weekly wage rate payable to a trainee clerk (as defined) shall be determined by the following method of calculation:

By taking the appropriate weekly wage rate for a junior clerk then multiplying it by 39 and dividing it by 52 (39 being the actual number of weeks spent on the job)

PROVIDED that the wage determined by this calculation shall in no case be less than the minimum rate (as varied from time to time) prescribed by the Australian Traineeships System Guidelines.

PROVIDED ALWAYS that trainee clerk (as defined) wage rate shall be calculated in multiples of ten (10) cents with any result of five (5) cents or more being taken to the next ten (10) cents.

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.

DIVISION C - SUPPORTED WAGE SYSTEM

(a) Eligibility criteria

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

(b) For the purposes of this subclause:

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

(ii) **'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.

(iii) **'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.

(iv) **'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.

(c) 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:

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.

Assessed capacity (paragraph (d))	% of prescribed award rate
10%	10%
20%	20%
30%	30%
40%	40%
50%	50%
60%	60%
70%	70%
80%	80%
90%	90%

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

(d) 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:

(i) the employer and a union party to the award, in consultation with the employee or, if desired by any of these;

(ii) the employer and an accredited Assessor from a panel agreed by the parties to the award and the employee.

(e) Lodgment of assessment instrument

(i) 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.

(ii) 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.

(f) 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.

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.

(g) 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.

(h) 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.

(i) Trial Period

(i) 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.

(ii) 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 (d) and (e).

(iii) 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.

(iv) Work trials should include induction or training as appropriate to the job being trialed.

(v) 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 subclause (c) hereof."

2. By deleting from Clause 10 - Annual Leave, subclause (e) and inserting in lieu thereof the following:

"(e) Payment for Period of Leave.

All employees, before going on annual leave, shall be paid the amount of wages they would have received in respect of the ordinary time they would have worked had they not been on leave during the relevant period. In addition thereto all employees, shall be paid an amount of $281.40."

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.

OPERATIVE DATE:

This order shall come into operation from the first full pay period to commence on or after 2 September 1996.

R J Watling
COMMISSIONER

3 September 1996