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**TASMANIAN INDUSTRIAL COMMISSION**

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

**Tasmanian Chamber of Commerce and Industry Limited**

**LICENSED CLUBS AWARD**  
(T.4837 of 1994)

**HOTELS, RESORTS, HOSPITALITY AND MOTELS AWARD**  
(T.4838 of 1994)

**RESTAURANT KEEPERS AWARD**  
(T.4839 of 1994)

COMMISSIONER P A IMLACH

10 November 1994

Award variation -shift loadings and penalty rates

**ORDER - No. 2 of 1994**

The above award is amended as follows:

**1. Delete subclause (b) of Clause 14 - Casual Work and insert in lieu thereof the following:**

(b) A casual employee (as defined) shall be engaged for a minimum period of two hours; each engagement shall stand alone and shall be paid at the rate of one thirty-eighth of the appropriate weekly wage prescribed in Clause 8 - Wage Rates, plus:

(i) 25 per cent for work Monday to Friday inclusive provided that for work performed between the hours of 7.00 pm and midnight an additional \$1.03 per hour or any part of an hour shall be paid with a minimum daily payment of \$1.57 and a maximum daily payment of three hours.

Provided further that for work performed between midnight and 7.00 am an additional \$1.50 per hour or any part of an hour shall be paid with a minimum daily payment of \$1.57 and a maximum daily payment of three hours. For the purposes of this paragraph midnight shall include midnight Sunday.

(ii) 50 per cent for all work performed on Saturday;

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- (iii) 75 per cent for all work performed on Sundays;
- (iv) 150 per cent for all work performed on public holidays.

**2. Delete subclause (d) of Clause 27 - Overtime and Penalty Rates and insert in lieu thereof the following:**

(d) Weekend Penalty Rates

- (i) All permanent employees as at 1 December 1994 shall be entitled to the following weekend penalty rates:
  - (A) For all ordinary time worked between midnight Friday and midnight Saturday time and a half of the wages for the respective classification as at 1 December 1994 shall be paid until such amount is exceeded by time and a quarter as provided for in subparagraph (ii)(A) of this subclause when the provisions of subparagraph (ii)(A) shall apply.
  - (B) For all ordinary time worked between midnight Saturday and midnight Sunday time and three quarters shall be paid.
  - (C) For all ordinary time worked by liquor service employees on a Sunday double time of the wages for respective classifications as at 1 December 1994 shall be paid until such amount is exceeded by time and three quarters as provided for in subparagraph (ii)(B) of this subclause when the provisions of subparagraph (ii)(B) shall apply.
- (ii) All permanent employees who commence to be employed after 1 December 1994 shall be entitled to the following weekend penalty rates:
  - (A) For all ordinary time worked between midnight Friday and midnight Saturday time and a quarter rate shall be paid.
  - (B) For all ordinary time worked between midnight Saturday and midnight Sunday time and three quarters shall be paid.

**3. Delete subclause (e) of Clause 27 - Overtime and Penalty Rates and insert in lieu thereof the following:**

(e) Other Penalty

- (i) A permanent employee who is required to work any of his/her ordinary hours between the hours of 7.00 pm and midnight Monday to Friday inclusive shall be paid an additional \$1.03 per hour or any part of an hour for such time worked within the said hours with a minimum payment of \$1.57 for any one day.

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- (ii) A permanent employee who is required to work any of his/her ordinary hours between midnight and 7.00 am Monday to Friday inclusive shall be paid an additional \$1.50 per hour or part of an hour for such time worked within the said hours with a minimum payment of \$1.57 for any one day. For the purposes of this paragraph midnight shall include midnight Sunday.

**4. Delete subclause (c) of Clause 29 - Part-Time Employees and insert in lieu thereof the following:**

- (c) (i) A part-time employee shall be paid per hour at the rate of 1/38 of the weekly rate prescribed for the class of work performed plus 10%.
- (ii) The additional 10 per cent shall be regarded also as ordinary wages for the payment of annual leave, sick leave and when work is not performed on a holiday.
  - (A) A part-time employee who is required to work any of his/her ordinary hours between the hours of 7.00 pm and midnight Monday to Friday inclusive shall be paid an additional \$1.03 per hour or part of an hour for such time worked within the said hours plus the 10 per cent herein prescribed with a minimum daily payment of \$1.57 for any one day.
  - (B) A part-time employee who is required to work any of his/her ordinary hours between midnight and 7.00 am Monday to Friday inclusive shall be paid an additional \$1.50 per hour or part of an hour for such time worked within the said hours plus the 10 per cent herein prescribed with a minimum daily payment of \$1.57 for any one day. For the purposes of this subparagraph midnight shall include midnight Sunday.
- (iv) The said additional 10 per cent shall not apply in addition to the rates prescribed for work on Saturday, Sunday, holidays, overtime or where double time is prescribed in the Award.

**OPERATIVE DATE**

This order shall come into force on and from 1 December 1994.

P A Imlach  
**COMMISSIONER**

10 November 1994