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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.1112, T.1113, T.1114 of 1988

IN THE MATTER OF APPLICATIONS BY
THE FEDERATED LIQUOR AND ALLIED
EMPLOYEES UNION OF AUSTRALIA,
TASMANIAN BRANCH, TO VARY THE
**RESTAURANT KEEPERS AWARD, THE
HOTEL AND MOTEL KEEPERS AWARD
AND THE LICENSED CLUBS AWARD
RESPECTIVELY**

**RE: INSERTION OF TRAINEESHIP
PROVISIONS**

ORDER –

No. 2 of 1989

AMEND THE **HOTEL AND MOTEL KEEPERS AWARD** IN THE FOLLOWING MANNER:

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1. Insert in Clause 3 - ARRANGEMENT - (CONDITIONS FOR EMPLOYEES IN DIVISION A - HOTELS, TAVERNS OR WINE SALOONS) a new clause title, "Traineeships (ATS)" as Clause 42A.

2. Insert in Clause 7 - DEFINITIONS - (DIVISION A) the following definitions:

- "(o) A '**Traineeship**' is a system under the Australian Traineeship System comprising structured on-the-job training with an employer and off-the-job training in a Technical and Further Education College or other training provider approved by the Training Authority of Tasmania.
- (p) A '**Training Agreement**' means an agreement for training registered under the provisions of the Industrial and Commercial Training Act 1985.
- (q) A '**Trainee (ATS)**' is an employee who is bound by the training agreement registered with the Training Authority of Tasmania."

3. Insert the following new subclause in Clause 8 - WAGE RATES (DIVISION A:

"5. TRAINEES

The weekly wage payable to Trainees (ATS) shall be calculated in accordance with the formula prescribed in Schedule 1 to this award, viz.:

	Amount Per Week \$
17 years of age	155.80
18 years of age	178.10
19 years of age	200.30
20 years of age	222.50

Provided that the wage rate shall in no case be less than the minimum rate prescribed by the ATS guidelines, and the rate calculated shall be subject to any relevant adjustment as may be prescribed by the Tasmanian Industrial Commission."

4. Insert the following new clause in Division A:

"42A. TRAINEESHIPS (ATS)

- (a) Notwithstanding anything elsewhere contained in this award, an employer shall employ Trainees within the Australian Traineeship System subject to the conditions contained in this clause.

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- (b) An objective of the Australian Traineeship system is to provide additional employment and training opportunities for young people. Accordingly, these opportunities shall be provided to the fullest extent possible.

Where possible, Traineeship positions shall be additional to normal staff members provided that no full time employee who is a member of the Union shall be displaced by a trainee.

- (c)
 - (i) A Trainee (ATS) shall attend an approved on and off-the-job training course or program prescribed in the relevant training agreement or as notified to the trainee by the Training Authority of Tasmania. The off-the-job training period shall be for a minimum period of thirteen weeks in the 52 weeks training period.
 - (ii) Trainees (ATS) may be engaged by employers who must be registered under the Training Authority of Tasmania. The employer shall ensure that the Trainee (ATS) is permitted to attend the prescribed off-the-job training course and is provided with on-the-job training approved by the Training Authority of Tasmania.
 - (iii) The employer shall provide a level of supervision in accordance with the approved Training Plan during the Traineeship period.
 - (iv) The employer agrees that the overall training program will be monitored by officers of the Training Authority of Tasmania and that training records of work books may be utilised as part of this monitoring process.
- (d)
 - (i) The Trainee (ATS) shall be engaged for a period of twelve months as a full-time employee provided that the Trainee (ATS) shall be subject to a satisfactory probation period of up to one month.
 - (ii) The Trainee (ATS) is permitted to be absent from work without loss of continuity of employment to attend the off-the-job training in accordance with the Training Agreement.
 - (iii) Where the employment of a Trainee (ATS) by an employer is continued after the completion of the traineeship period, such traineeship period shall be counted as service for the purposes of the award. Subject to Clause 33, (Preference of Employment), trainees who complete this training shall be given preference in employment at the workplace at which they were trained, if a vacancy is available.
 - (iv) Overtime and broken shifts shall not be worked by Trainees (ATS) except to enable the requirements of the Training Plan to be effected. No Trainee (ATS) shall work overtime or shiftwork on their own.
 - (v) All other terms and conditions of this award shall apply unless specifically varied by this clause.

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- (vi) The Union shall be afforded reasonable access to Trainees (ATS) for the purposes of explaining the role and functions of the union.
- (e) A monitoring Committee with representatives of the Union and appropriate employer organisation and governments shall be established in Tasmania to consider and resolve issues put to it and to monitor the progress of traineeships implemented under the provisions of this award.
- (f) The operation of this clause shall not affect existing training programs established by any employers that are outside the operation of the Australian Traineeship System."

4. The attached schedule (SCHEDULE 1 - HOTEL AND MOTEL KEEPERS AWARD) shall be appended to the award.

DATE OF OPERATION

The foregoing variations shall have effect from the first full pay period commencing on or after 15 March 1989.

L.A. Koerbin
PRESIDENT

16 March 1989

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SCHEDULE 1 - HOTEL AND MOTEL KEEPERS AWARD

WAGE RATES FOR TRAINEES DIVISION A

Wage rates for trainees* in Division A (HOTELS, TAVERNS OR WINE SALOONS) shall be calculated in accordance with the following formula:

- (1) The average adult rate shall be the average amount of the weekly adult rates applicable to the undermentioned classifications in Clause 8 (Wage Rates), viz.

Classifications	Amount Per Week \$
Subclause 2 (Wage Rates - Adults)	
Cellerman	306.00
Assistant Cellerman, Bar Attendant, Cashier	297.70
Other Waiter, Waitress (Drink and/or Food), Snack bar Attendant	291.30
Storeman	295.10
Billiards Room Attendant, Cleaner, Commissionaire, Messenger and/or Car Parking Attendant, Housemaid, Kitchenman/maid, Laundry employee, Pantryman/maid, Useful	288.50
Office employee: 1st year of adult service in clerical industry	301.60
<u>Average adult rate-- Division A:</u>	<u>\$296.70</u>

- (2) Junior rates shall be based on the average adult rate, viz.:

	% of average adult rate	Amount Per Week \$
17 years of age	70%	207.70
18 years of age	80%	237.40
19 years of age	90%	267.00
20 years of age	100%	296.70

- (3) TRAINEE RATES shall be based upon 39/52nds of the junior rates, viz.:

	Amount Per Week \$
17 years of age	155.80
18 years of age	178.10
19 years of age	200.30
20 years of age	222.50

*T1112, T1113 and T1114 of 1988
Rates current at 15.3.89