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IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.374 of 1986

IN THE MATTER OF AN APPLICATION BY THE MINISTER FOR PUBLIC ADMINISTRATION TO VARY THE **GENERAL OFFICERS (PUBLIC AND MENTAL HEALTH SERVICES) AWARD**

ORDER -

No. 3 of 1986
(Consolidated)

AMEND THE **GENERAL OFFICERS (PUBLIC AND MENTAL HEALTH SERVICES) 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 "General Officers Award".

2. SCOPE

Subject to the exceptions and conditions contained herein, this award shall apply to all persons employed under the provisions of either:

(a) the Public Service Act 1973 in the Public Service of the State;

(b) the Mental Health Services Act 1967, in the Mental Health Service; or

who, being employees within the meaning of Part V of the Public Service Act 1973, occupying a position covered by this Award, the duties of which are of a general nature.

3. ARRANGEMENT

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4. DATE OF OPERATION

This award shall come into operation from 23 July 1986.

Provided that, it is a term of this award that the unions undertake that, for a period of six months, they will not pursue any extra claims, award or overaward, except where consistent with the Principles of Wage Fixation of the Tasmanian Industrial Commission.

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5. SUPERSESSION AND SAVINGS

This award incorporates and supersedes the General Officers (Public and Mental Health Services) Award No. 2 of 1986 (Consolidated).

PROVIDED further, 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 Public Service Act 1973 and the Regulations made thereunder; the Mental Health Services Act 1967 and the Regulations made thereunder, as the case may require, shall continue to apply to officers or classes of officer covered by this award where such Acts and Regulations are applicable, save insofar as the salaries to be received by, and the conditions of service of such officers or classes of officers 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 Hospital Employees Federation of Australia (Tasmanian Branch No. 1) and the Officers of that organisation and their members for whom classifications appear in this award;

(c) the Hospital Employees Federation of Australia (Tasmanian Branch No. 2) and the Officers of that organisation and their members for whom classifications appear in this award;

(d) the Electrical Trades Union of Australia (Tasmanian Branch) and the Officers of that organisation and their members for whom classifications appear in this award;

(e) the Printing and Kindred Industries Union (Tasmanian Printing and Papermaking Branch) and the Officers of that organisation and their members for whom classifications appear in this award;

(f) the Tasmanian Prison Officers Association and the Officers of that organisation and their members for whom classifications appear in this award;

(g) the Public Service Board of Tasmania in relation to all officers (as defined) for whom classifications appear in this award whether members of a registered organisation or not;

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(h) the Mental Health Services Commission in relation to all officers (as defined) for whom classifications appear in this award whether members of a registered organisation or not;

(i) the Tasmanian Trades and Labor Council.

7. DEFINITIONS

(a) **'Employee'** means a person permanently or temporarily employed under the provisions of the Tasmanian State Service Act 1984.

(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) A **'temporary employee'** means a person who

(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 period determined by the Head of Agency

PROVIDED that such temporary employment be specified as to the number of hours, days or weeks to be worked; with the further proviso that where the period of engagement is specified as 5 consecutive working days or less the terms of employment shall be the same as those defined for casual employees.

(e) A **'casual employee'** means a person engaged to work on an irregular basis, as and when required, but does not include any person employed on a part time, full time or permanent basis.

(f) **'Head of Agency'** means a person holding an office specified in column 2 of Schedule 1 of the Tasmanian State Service Act 1984.

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8. SALARIES

An employee classified or graded 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.

		Salary per Annum $
A.	Book Binder	
(1)	Tradesman	
	1st year of service	17670
	2nd year of service	17848
	3rd year of service	18025
	4th year of service	18200
	5th year of service and thereafter	18377
(2)	Foreman	
	1st year of service	21137
	2nd year of service	21624
	3rd year of service	22040

		Percentage of 1st year of Service of the relevant Tradesperson's Rate (4 year term)
B.	Apprentice	
(1)	General	
	1st year apprenticeship	44.5%
	2nd year apprenticeship	57.5%
	3rd year apprenticeship	75.0%
	4th year apprenticeship	88.0%

		Salary per Annum $
(2)	Apprentice Bookbinder	
	1st year of service	8658
	2nd year of service	10954
	3rd year of service	13074
	4th year of service	15636

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PROVIDED ALWAYS that -

(a) An additional amount of one dollar per week ($52 per annum) shall be paid to an apprentice for each appropriate annual technical school examination passed. Such amounts shall be cumulative to an amount of $3.00 ($156 per annum) and in each case, shall be paid as from the beginning of the first full pay period commencing on or after the first day of January following such examination.

(b) On completion of their indentured period apprentices shall progress to the relevant tradesperson's rate as established under the General Officer classification scale contained in this award.

(c) Except where otherwise specifically determined by this award the terms and conditions of employment of apprentices in respect of period of indenture; form and effect of indenture; assignment of indenture; cancellation of, and determination of disputes in relation to indentures; proportionate number of apprentices to tradespersons employed; preparatory education; course of apprenticeship and the standards of education and trade experience for such course in each trade; attendance of apprentices at compulsory classes and time off for attendance thereat; payment for examinations passed and disciplinary measures, shall be in accordance with the provisions of the Industrial and Commercial Training Act, 1985 and the regulations made thereunder.

(d) The ordinary hours of employment of apprentices shall not in any case exceed those of a tradesperson.

(e) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he/she desires.

(f) No apprentice shall, except in an emergency, work or be required to work overtime or shift work at times which would prevent his/her attendance at any course of instruction as required by the Industrial and Commercial Training Act 1985 and the regulations made thereunder.

(g) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

C. General Officer

Class I	
16 years and under	7758
17 years	8887
18 years	10297
19 years	11849
20 years	13119

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21 years and over:	
1st year of service	13582
2nd year of service	13792
3rd year of service	14000
4th year of service and thereafter	14213

PROVIDED that an employee paid in accordance with the rates established for persons under 21 years of age in Class I of this award shall, on being promoted to a classification above Class I in this award be paid at the salary rate prescribed for the position to which he/she has been appointed.

PROVIDED FURTHER than an employee under 21 years of age with dependants 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 'dependant' in relation to an employee means:-

(a) in the case of a relative of that employee, a person who normally resides with that employee; and

(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 dependent on that employee for financial support; and

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

Class II	
Grade 1	14426
Grade 2	14638
Class III	
Grade 1	14858
Grade 2	15059
Class IV	
Grade 1	15270
Grade 2	15475
Class V	
Grade 1	15687
Grade 2	15888
Class VI	
Grade 1	16100
Grade 2	16314

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Class VII	
Grade 1	16541
Grade 2	16748
Class VIII	
Grade 1	16970
Grade 2	17184
Class IX	
Grade 1	17398
Grade 2	17614
Class X	
Grade 1	17833
Grade 2	18043
Class XI	
Grade 1	18260
Grade 2	18466
Class XII	
Grade 1	18682
Grade 2	18897
Class XIII	
Grade 1	19111
Grade 2	19324
Class XIV	
Grade 1	19544
Grade 2	19755
Class XV	
Grade 1	19973
Grade 2	20192
Class XVI	
Grade 1	20405
Grade 2	20618
Class XVII	
Grade 1	20837
Grade 2	21045
Class XVIII	
Grade 1	21253
Grade 2	21465

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Class XIX	
Grade 1	21684
Grade 2	21899

D. Part time and Casual Employees
(For classifications refer Clause 8 A, B and C)

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

(i) Part time employees shall be paid in the proportion that the hours worked bear to the normal weekly rate prescribed for the equivalent full time employee.

(ii) 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.

(iii) The normal weekly salary rate means 1/52nd of a full time employee's annual salary exclusive of allowances and overtime.

PROVIDED ALWAYS that a casual employee's terms of engagement shall be by the hour with a minimum payment of three hours for each day worked.

PROVIDED FURTHER that persons engaged as temporary part time and casual employees prior to 1 December 1985 shall not suffer any loss of entitlement through the implementation of this award.

9. CONDITIONS OF SERVICE

The conditions of service of employees covered by this award shall be in accordance with the General Conditions of Service Award.

10. NEW APPOINTMENTS AND PROMOTIONS

The commencing salary of a person or employee on first appointment or on promotion, 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 for that position on the appropriate scale, 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.

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11. SALARY INCREMENTS

1. Except where otherwise, determined by this award, or where inconsistent with any Act, an employee 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 ALWAYS 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 FURTHER 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 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/her previous salary increment was awarded.

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.

J.G. King
COMMISSIONER

29 September 1986