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**TASMANIAN INDUSTRIAL COMMISSION**

**Industrial Relations Act 1984**

s.23 application for award or variation of award

**Automotive, Food, Metals, Engineering,  
Printing & Kindred Industries Union**  
(T6577 of 1996)

**FISH, AQUACULTURE AND MARINE PRODUCTS AWARD**

Award variation - Clause 6, Parties and Persons Bound - Clause 16 Holidays Saturday, Sunday and Overtime Payments - consent application - order issued variation of Clause 6 operative 16.1.96, and Clause 16 ffpp 26.3.97

**ORDER BY CONSENT**

**No. 2 of 1997**

AMEND THE **FISH, AQUACULTURE AND MARINE PRODUCTS AWARD** IN THE FOLLOWING MANNER:

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**1. By deleting subclause (c) from Clause 6 - Parties and Persons Bound, and inserting in lieu thereof the following:**

"(c) the following organisations of employees in respect of whom award interest has been determined:

- (i) The Australian Workers' Union, Tasmania Branch and the officers of that organisation and their members employed in the industry specified in Clause 2 - Scope;
- (ii) The Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union, and the officers of that organisation and their members employed in the industry specified in Clause 2 - Scope."

**2. By deleting Clause 16 - Holiday, Saturday, Sunday and Overtime Payments, and inserting in lieu thereof the following:**

**"16. HOLIDAY, SATURDAY, SUNDAY AND OVERTIME PAYMENTS**

(a) (i) Payment for work on Holidays for Full-time Employees

The wages that shall be paid to full time employees for work performed on holidays as prescribed in Clause 17 - Holidays with Pay of this award, shall be double time and one half.

(ii) Payment for work of Saturday and Sunday for Full-time Employees

(1) Saturday work - the amount of wages that shall be paid to full-time employees who perform work on Saturdays shall be at the rate of time and one half the ordinary rate for the first three hours and double time thereafter.

(2) Sunday work - the amount of wages that shall be paid to full-time employees who perform work on Sundays shall be double the ordinary rate.

(iii) Payment for work on Overtime for Full-time Employees

Subject to the provisions of Clause 18 - Hours of Work, subclause (b), a full-time employee who performs work in excess of 38 hours per week or before the time fixed for commencing work or after the time fixed for ceasing work or in excess of eight hours per day, shall receive payment at the rate of time and one half for the first three hours and double time thereafter. In computing overtime each day's work shall stand alone.

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- (iv) Payment for work on Holidays, Saturdays, Sundays and Overtime for Casual Employees

A casual employee working on Holidays as prescribed in Clause 17 Holidays with Pay, Saturdays, Sundays and Overtime shall be paid the applicable classification hourly rate defined in Clause 8 - Wage Rates plus the applicable penalty rates as described in subclauses (a), (b) and (c) of this clause.

**PROVIDED** that the loading applicable under Clause 13 - Contract of Employment, subclause (c) Casual Employees, paragraph (v) does not apply to casual employees who are employed to work Holidays, Saturdays, Sundays and Overtime.

- (b) Minimum Payment for Work on Holidays with Pay

Full-time employees and casual employees who are required to work on any of the days prescribed in Clause 17 - Holidays with Pay, and this subclause shall be paid a minimum as for 3 hours worked at the appropriate penalty rate.

- (c) Call Out

Full-time employees and casual employees recalled to work overtime after leaving the employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours work at the appropriate overtime rate.

- (d) Rest Period After Overtime

If a full-time employee or a casual employee is engaged on overtime to the extent that it does not allow that employee eight hours rest before the next regular starting time, the employee shall be allowed at least eight hours rest without deduction of pay or shall be paid at overtime rates for all time of duty until the employee has had at least eight hours rest."

## **OPERATIVE DATES**

Variation of Clause 6 - Parties and Persons Bound shall come into operation from 16 January 1996, and Clause 16 - Holidays, Saturday, Sunday and Overtime Payments shall come into operation from the first full pay period to commence on or after 26 March 1997.

F D Westwood  
**PRESIDENT**

26 March 1997