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
s.23 application for award or variation of award

Construction, Forestry, Mining and Energy Union, Tasmanian Branch
(T5895 of 1995)

BUILDING AND CONSTRUCTION INDUSTRY AWARD

COMMISSIONER P A IMLACH 4 December 1995

Award variation – expense related allowances - application approved - op 23.11.95

ORDER -

No. 2 of 1995

AMEND THE **BUILDING AND CONSTRUCTION INDUSTRY AWARD** IN THE FOLLOWING MANNER:

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. DELETE FROM CLAUSE 8 (WAGE RATES), SUBCLAUSE (c) Tool Allowance AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(c) Tool Allowance

A tool allowance shall be paid for all purposes of the award in accordance with the following table:

Classification	Amount Per Week $
Artificial Stoneworker, Carpenter and/or Joiner, Carpenter Diver, Carver, Bridge and Wharf Carpenter, Floorsander, Letter Cutter	18.10
Caster, Fixer, Floorlayer Specialist Plasterer	14.90
Bricklayer	13.00
Roof Fixer	9.50
Signwriter, Painter, Glazier	4.50"

2. DELETE FROM CLAUSE 13 (COMPENSATION FOR CLOTHES AND TOOLS), SUBCLAUSE (a) AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(a) An employee shall be reimbursed by his employer to a maximum of **$1054.00** for loss of tools or clothes by fire or breaking and entering whilst securely stored at the employer's direction in a room or building on the employer's premises, job, or workshop, or in a lock-up as provided in this award or if the tools are lost or stolen while being transported by the employee at the employer's direction, or if the tools are accidentally lost over water, or if tools are lost or stolen during an employee's absence after leaving the job because of injury or illness.

PROVIDED that an employee transporting his own tools shall take all reasonable care to protect those tools and prevent theft or loss."

3. DELETE FROM CLAUSE 16 (FARES AND TRAVELLING), SUBCLAUSE (b) AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(b) When employed on work located within a radius of 30 kilometres from the GPO Hobart or the principal post office Launceston **$10.80** per day."

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.

4. DELETE FROM CLAUSE 16 (FARES AND TRAVELLING), SUBCLAUSE (c) Apprentices AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(c) Apprentices

An apprentice's entitlement to allowances prescribed under subclauses (a), (b) or (d) of this clause shall be in accordance with the following scale:

On first year rate	75 percent of $10.80 per day = rounded to $8.10
On second year rate	85 percent of $10.80 per day = rounded to $9.20
On third year rate	90 per cent of $10.80 per day = rounded to $9.70
On fourth year rate	95 per cent of $10.80 per day = rounded to $10.25

The foregoing amounts shall be calculated to the nearest five cents; two cents and less to be disregarded."

5. DELETE FROM CLAUSE 16 (FARES AND TRAVELLING), SUBCLAUSE (f) Travelling Outside Radial Areas AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(f) Travelling Outside Radial Areas

Where an employee travels daily from inside any radial area mentioned in subdause (a), (b) or (d) of this clause, to a job outside that area, he shall be paid:

(i) the allowance prescribed in subclause (a), (b) or (d);

(ii) in respect of travel from the designated radius to the job and return to that radius:

(1) the time outside ordinary working hours reasonably spent in such travel calculated at ordinary hourly `on-site' rates to the next quarter of an hour with a minimum payment of one half an hour per day for each journey;

(2) any expenses necessarily and reasonably incurred in such travel, which shall be **34 cents** per kilometre where the employee uses his own vehicle."

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.

6. DELETE FROM CLAUSE 16 (FARES AND TRAVELLING), SUBCLAUSE (I) Transfers During Working Hours AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(l) Transfers During Working Hours

An employee transferred from one site to another during ordinary working hours shall be paid for the time occupied in travelling and, unless transported by the employer, shall be paid reasonable cost of fares by the most convenient public transport between such sites.

PROVIDED that where an employer requests an employee to use his own car to effect such a transfer and such employee agrees to do so the employee shall be paid an allowance at the rate of 62 cents per kilometre."

7. DELETE FROM CLAUSE 24 (LIVING AWAY FROM HOME - DISTANT WORK), SUBCLAUSE (c) Entitlement AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(c) Entitlement

Where an employee qualifies under subclause (a) of this clause, the employer shall either:

(i) provide the worker with reasonable board and lodging (as defined); or

(ii) pay an allowance of **$265.70** per week of 7 days but such allowance shall not be wages. In the case of broken parts of the week occurring at the beginning or the ending of the employment on a distant job the allowance shall be **$38.00** per day.

PROVIDED that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed. In the event of disagreement the matter may be referred to the Tasmanian Industrial Commission for determination; or

(iii) in circumstances prescribed in subclause (i) of this clause, provide camp accommodation and messing constructed and maintained in accordance with subclause (q) of this clause.

'Reasonable board and lodging' shall mean lodging in a well kept establishment with three adequate meals each day, adequate furnishings, good bedding, good floor coverings, good lighting and heating and with hot and cold running water, in either a single room or a twin room if a single room is not available."

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.

8. DELETE FROM CLAUSE 24 (LIVING AWAY FROM HOME - DISTANT WORK), SUBCLAUSE (f) Return Journey AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(f) Return Journey

An employee shall, for the return journey, receive the same time, fares and meal payments as provided in subclause (e)(i), (e)(ii) and (e)(iii) of this clause, together with an amount of **$13.70** to cover the cost of transporting himself and his tools from the main public transport terminal to his usual place of residence.

PROVIDED that the above return journey payments shall not be paid if the employee terminates or discontinues his employment within two months of commencing on the job, or if he is dismissed for incompetence within one working week of commencing on the job, or is dismissed for misconduct."

9. DELETE FROM CLAUSE 24 (LIVING AWAY FROM HOME - DISTANT WORK), SUBCLAUSE (i) Weekend Return Home AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(i) Weekend Return Home

(i) An employee who works as required during the ordinary hours of work on the working day before and the working day after a weekend and who notifies the employer or his representative, no later than Tuesday of each week, of his intention to return to his usual place of residence at the weekend and who returns to his usual place of residence for the weekend, shall be paid an allowance of **$23.10** for each occasion.

(ii) Paragraph (i) of this subclause shall not apply to an employee who is receiving the payment prescribed in subclause (c) of this clause in lieu of board and lodging being provided by the employer or who is receiving a camping allowance as prescribed in subclause (j)(ii) of this clause.

(iii) When an employee returns to his usual place of residence for a weekend or a part of a weekend and does not absent himself from the job for any of the ordinary working hours, no reduction of the allowance prescribed in subclause (c)(ii) of this clause shall be made."

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.

10. DELETE FROM CLAUSE 24 (LIVING AWAY FROM HOME - DISTANT WORK), SUBCLAUSE (J) (il) Camping Allowance AND INSERT IN LIEU THEREOF THE FOLLOWING:

"(ii) Camping Allowance

An employee living in a construction camp where free messing is not provided shall receive a camping allowance of **$112.60** for every complete week he is available for work. If required to be in camp for less than a complete week he shall be paid **$16.20** per day including Saturday and Sunday if he is in camp and available for work on the working days immediately preceding and succeeding each Saturday and Sunday. If an employee is absent without the employer's approval on any day, the allowance shall not be payable for that day and if such unauthorised absence occurs on the working day immediately preceding or succeeding a Saturday or Sunday, the allowance shall not be payable for the Saturday and Sunday."

OPERATIVE DATE

The foregoing variations shall come into effect from the first full pay period commencing on or after 23 November 1995.

P A Imlach
COMMISSIONER