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.

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T257 of 1985

IN THE MATTER OF AN APPLICATION BY THE NORTH WEST REGIONAL WATER AUTHORITY TO VARY THE **NORTH WEST REGIONAL WATER AUTHORITY EMPLOYEES AWARD**

RE: INTRODUCTION OF A 38 HOUR WEEK

COMMISSIONER R.J. WATLING

6 November, 1985

ORDER BY CONSENT -

No. 3 OF 1985

AMEND THE **NORTH WEST REGIONAL WATER AUTHORITY EMPLOYEES AWARD** AS FOLLOWS:

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.

Delete Clause 7 – Definitions and insert in lieu thereof the following:

7. DEFINITIONS

(a) **"Afternoon Shift"** means a shift terminating after 7pm and at or before midnight.

(b) **"Availability"** means a situation where an employee is directed by the Authority to remain at home or within close telephone contact thereof and hold himself in readiness to return to work without delay or within a reasonable time of being recalled or to monitor telephone calls or attend to after-hours calls if required.

(c) **"Continuous Shift Work"** means work carried on with consecutive shifts of persons throughout the twenty four hours for seven consecutive days without interruption, except during breakdowns, meal breaks or unavoidable causes beyond the control of the Authority.

(d) **"Continuous Shift Worker"** means an employee who is regularly required to undertake continuous shift work (other than overtime) in accordance with a roster approved by the Controlling Authority concerned.

(e) **"Employee"** means State employee.

(f) **"Night Shift"** means a shift terminating after midnight and at or before 8 am.

(g) **"Normal Hourly Rate"** for operational and temporary non-operational staff shall mean 1/38th of the normal weekly salary rate.

(h) **"Normal Salary Rate"** means an employee's normal salary exclusive of allowances and overtime.

(i) **"Normal Weekly Salary Rate"** means 1/52nd of an employee's annual salary exclusive of allowances and overtime.

(j) **"Office Staff"** means permanent and temporary employees engaged in administrative or clerical duties at the Authority's Head Office in Ulverstone.

(k) **"Operational Staff"** means employees engaged in the operation or maintenance of water treatment plants, pump stations, pipelines, reservoirs and associated headworks and includes any other employee who is based at Forth Maintenance Depot, except for Temporary Non-Operational Staff.

(l) **"Public Holiday"** means any day which is a Bank Holiday or Bank Part Holiday under the Bank Holidays Act 1919, either throughout the State, or in the locality where the employee works or any specified day or specified part day appointed by the Governor as a holiday under Section 91(3) of the Public Service Act 1973.

(m) **"Temporary Non-Operational Employees"** means short term temporary staff employed for seasonal maintenance and specific projects.

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.

(n) **"Experienced Engineer"** means a professional engineer with the undermentioned qualifications in any particular employment, the adequate discharge of any portion of the duties of which employment requires qualifications of the employee as (or at least equal to those of) a Member of the Institution of Engineers, Australia.

The aforesaid qualifications are as follows:-

(i) that he is a member of the said Institution; or

(ii) that he, having graduated in a four or five year course at a University or College of Advanced Education recognised by the said Institution, has had four years experience on professional engineering duties since becoming a qualified engineer; or

(iii) that he, not having so graduated, has had five years of such experience.

(o) **"Graduate"** means a 'Qualified Engineer' who is the holder of a University Degree (4 or 5 years course) recognised by the Institution of Engineers, Australia, or is the holder of a degree, diploma or other testamur which:-

(i) has been issued by a University, College of Advanced Education, Institute of Technology or other similar educational establishment; and

(ii) is recognised by the Institution as attaining a standard similar to an approved University degree; and

(iii) has been issued following –

(a) a course of not less than four years duration for a full-time course after a standard of secondary education not less than the standard of examination for matriculation to an Australian University; or

(b) a part-time course of sufficient duration to attain a similar standard as a four years full-time course, after a similar standard of secondary education.

(p) **"Professional Engineer"** means an adult person qualified to carry out professional engineering duties as defined.

(q) **"Professional Engineering Duties"** means duties carried out by a person in any particular employment the adequate discharge of any portion of which duties requires qualifications of the employee as (or at least equal to those of) a graduate member of the Institution of Engineers, Australia.

(r) **"Qualified Engineer"** means a professional engineer (other than an 'experienced engineer') who is, or is qualified to become a graduate member of the Institution of Engineers, Australia.

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.

Delete Clause 9 – Hours of Duty and insert in lieu thereof the following:

9. HOURS OF DUTY

A. Office Staff

The ordinary hours of duty for the office staff shall be 73½ hours per fortnight, to be worked within the hours of 8.00am to 6.00pm Monday to Friday, inclusive.

B. Operational and Temporary Non-Operational Staff

The ordinary hours of duty of operational and temporary non-operational staff, except staff on continuous shift work, shall be 38 hours per week to be worked on the basis of not more than 152 hours in any two consecutive fortnightly pay periods at ordinary rates of pay, and to be worked as determined by the Authority within the hours of 7.00am to 5.30pm Monday to Friday (both inclusive).

PROVIDED THAT where an employee works an eight hour day in order to achieve an additional day off every twenty-eight days the following provisions shall apply:-

(i) Each employee shall be credited with time worked beyond seven hours thirty-six minutes per day up to a limit of eight hours. Time worked in excess of eight hours shall be paid at the appropriate overtime rates.

(ii) Days taken as recreation leave, sick leave, public holidays and other classes of leave shall be counted as eight hour days with time in excess of seven hours thirty-six minutes being credited towards the additional day off.

(iii) If an additional day off as rostered falls on a public holiday, or the employee is required to work on his additional day off, the day off shall be given on the first working day after the rostered additional day off, or if this cannot be arranged, at a time determined by the Authority.

(iv) An employee on resignation, retirement or transfer shall be entitled to payment at ordinary rates for any hours accumulated towards his rostered additional day off.

C. Staff on Continuous Shift Work

The ordinary hours of duty of staff on continuous shift work shall be 38 hours per week or 152 hours over a twenty-eight (28) day period.

Shift times shall be:

Day Shift	6.00 a.m. to 2.00 p.m.
Afternoon Shift	2.00 p.m. to 10.00 p.m.
Night Shift	10.00 p.m. to 6.00 p.m.

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.

PROVIDED THAT additional time worked as a result of the above shift times shall be compensated by way of an additional day off every twenty-eight days in accordance with the following provisions:

(i) Each employee shall be credited with time worked beyond seven hours and thirty-six minutes per shift at the ordinary rate up to a limit of eight hours. Time in excess of eight hours shall be paid at the appropriate overtime rates with shift loadings as attracted.

(ii) All recreation leave, sick leave, leave given in lieu of public holidays and all other leave shall be counted as days of seven hours and thirty-six minutes duration and no time shall be credited or debited to the employee.

(iii) An employee on resignation, retirement or transfer shall be entitled to payment at ordinary rates for any hours accumulated towards his rostered additional day off.

Delete Clause 11 – Meal Breaks and insert in lieu thereof the following:

11. MEAL BREAKS

Meal breaks shall be as follows:

(i) (a) Office, Operational and Temporary Non-Operational Staff, 30-60 minutes for lunch;

(b) Continuous Shift Workers – 1 break of 30 minutes.

(ii) In addition to these meal breaks, employees shall be entitled to have a 10 minute morning, afternoon and evening tea break each day.

PROVIDED THAT operational day work and shift work employees shall take such morning, afternoon and evening tea breaks at times which do not affect the continuity of plant operations.

Delete Clause 14 – Availability Allowance and insert in lieu thereof the following:

14. AVAILABILITY ALLOWANCE

A. An employee when actually on availability duties shall be paid an allowance equal to 1/76th of his normal weekly salary rate for week days and 3/76ths of his normal weekly salary rate for Saturday, Sunday and public holidays. Overtime rates will be paid in accordance with the provisions laid down in clauses 13.A(i) to (iii).

B. For the purpose of availability allowance, a day shall be construed as the normal commencement time on any one day, until the normal commencement time on the following 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.

Delete Clause 19 – Method of Payment and insert in lieu thereof the following:

19. METHOD OF PAYMENT

(i) The method of payment of wages for office staff shall be fortnightly by cheque or in cash if an employee so desires.

(ii) The method of payment of wages for operational and temporary non-operational employees shall be fortnightly by cheque.

OPERATIVE DATE:

As from the first full pay period to commence on or after 6 November 1985.

R.J. Watling
COMMISSIONER

6 November 1985