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TASMANIAN INDUSTRIAL ACOMMISSION

Industrial Relations Act 1984
s.23 application for award or award variation

Australian Workers' Union
Tasmania Branch
(T.4381 of 1993)

FISH, AQUACULTURE AND MARINE PRODUCTS AWARD

COMMISSIONER R J WATLING

20 May 1993

Wage rates - State Wage November 1989 - Final minimum rates adjustment - Principles satisfied - consent matter - application granted - award varied - ffpp 19 May 1993

ORDER BY CONSENT -

No. 2 of 1993

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

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1. Delete Clause 7 - Definitions and insert in lieu thereof the following:

"7. DEFINITIONS

'Can Closure Operator' means an employee capable of operating a can closure machine.

'Can Seam Controller' means an employee capable of setting up and monitoring can closure operations including can seam evaluations.

'Casual Employee' means any person who is engaged on an irregular basis to perform a range of tasks within their classification and skill level, the basis of such engagement being termination of employment at one hours notice by either the employer or employee.

Such irregular basis of employment will generally be discontinuous, but may include extended periods where the work is of a continuous nature.

'Loaded Rate' means one thirty-eighth of the weekly rate for the work performed plus 20% (i.e. loading in lieu of annual leave, sick leave and public holidays) plus an additional amount for shift penalties (i.e. either 15%, 30%, 50% or 100% as prescribed in Clause 32 - Shift Work) of one thirty-eighth of the weekly rate for the work performed.

Example: The hourly rate for a casual Process Attendant Level 1, (weekly rate \$313.90), for working an afternoon shift (15% loading) shall be calculated as follows:

1/38th of weekly rate	= \$8.26
plus 20% of \$8.26	= 1.65
Sub Total	\$9.91
plus 15% of 1/38th of weekly rate (\$8.26)	1.24
Total	\$11.15 per hour

'Machine Operator' means an employee capable of operating single function fish processing equipment.

'Operator of Steam Raising Equipment' means an employee capable of supplying and controlling steam required for retort process and who is appropriately qualified.

**'Process Attendant - Level 1'
(%Wage relativity to Process Attendant Level 4 (as defined) = 76%)**

Means an employee capable of being engaged in limited production processes including sorting, grading, trimming, washing and packaging of fish and or shellfish and who is under direct supervision. A Process Attendant - Level 1 (as defined) shall proceed to Process Attendant - Level 2 (as defined) at the completion of 380 hours service with one or more employer(s) within the industry as prescribed in Clause 2 - Scope of this award.

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'Process Attendant - Level 2'

(%Wage relativity to Process Attendant Level 4 (as defined) = 80%)

Means an employee capable of being engaged in functions as defined at Level 1 and in addition is capable of performing the following process functions:

- filleting
- weighing
- brushing of fish and or shellfish
- capable of precise grading and inspections
- draining and tailing
- chilling of fish and shellfish
- sealing, strapping and stamping of cartons
- bulk packing and machine operator (as defined)
- can closure operator

'Process Attendant - Level 3'

(%Wage relativity to Process Attendant Level 4 (as defined) = 93%)

Means an employee capable of performing functions as defined at Level 2 and in addition includes the following:

- operator of refrigeration equipment
- fork life operator (up to and including 4500kilos)
- operator of steam raising equipment (as defined)
- single line supervisor (as defined)
- retort operator (as defined)
- can seam controller (as defined).

'Process Attendant - Level 4'

(%Wage relativity = 100%)

Means an employee capable of performing functions as defined at Level 3 or who is capable of performing functions of routine maintenance operator (as defined) section supervisor (as defined), and includes persons who hold qualifications at a tradesperson level and who is employed in this trade.

'Retort Operator' means an employee capable of setting up and operating a retort to a scheduled process.

'Routine Maintenance Operator' means an employee capable of performing routine maintenance of plant and equipment and who in addition is capable of performing some minor fabrication work.

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'Sea Based Finfish Farm Attendant - Level 1'
(%Wage Relativity to Process Attendant Level 4 (as defined) = 90%)

Means a person other than a hatchery employee, who has been employed for less than four months in the industry covered by the Scope of this award to:

- operate boats (including loading and unloading boats)
- moor pens
- wash and change nets
- move materials and equipment
- harvest fish (including bleeding)
- husband fish (including observing, separating, mortality retrieval, feeding)
- record fish farm data
- carry out general housekeeping and maintenance
- carry out basic net repairs
- may be required to perform diving duties

'Sea Based Finfish Farm Attendant - Level 2'
(%Wage Relativity to Process Attendant Level 4 (as defined) = 101%)

Means a person other than a hatchery employee with more than four months service in the industry covered by the Scope with one or more employer who is employed on a finfish farm to:

- operate boats (including loading and unloading boats)
- moor pens
- wash and change nets
- move materials and equipment
- harvest fish (including bleeding)
- husband fish (including observing, separating, mortality retrieval, feeding)
- record fish farm data
- carry out general housekeeping and maintenance
- carry out basic net repairs
- may be required to perform diving duties

'Section Supervisor' means an employee capable of supervising a multiple of processing lines and who is directly answerable to the production supervisor.

'Show Day' means not more than one local show day observed on an employees ordinary working day, other than a Saturday or a Sunday, in the city, town or district in which employee is employed; or such other day which in the absence of such a local show day is agreed on by the employee and the employer.

'Single Line Supervisor' means an employee capable of supervising a single processing section or table and who is directly answerable to the section supervisor.

'Trainee - Seafood Handler' means an employee employed by the employer under the terms of the Australian Traineeship System and any agreements attached thereto.

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'**Training Agreement**' shall mean an agreement registered under the provisions of the Industrial and Commercial Training Act 1985."

2. Delete Clause 8 - Wage Rates and insert in lieu thereof the following:

"8. WAGE RATES

DIVISION A - PROCESS ATTENDANTS FINFISH AND OR SHELLFISH

1. WAGE RATES

(a) Employees in a classification level hereunder mentioned shall be paid the base rate and supplementary payment appearing opposite that classification.

No.	Classification	Wage Relativity	Base Rate Per Week	Supplementary Payment	Total Weekly Rate
		%	\$	\$	\$
	Process Attendant Level 1 (as defined)	76	277.60	39.50	317.10
2	Process Attendant Level 2 (as defined)	80	292.20	41.60	333.80
3	Process Attendant Level 3 (as defined)	93	339.60	48.40	388.00
4	Process Attendant Level 4 (as defined)	100	365.20	52.00	417.20

(b) Supplementary Payment

The amount appearing in the column headed Supplementary Payment in subclause (a) of this Division, is to be absorbed against any overaward payment being paid by an employer as from the beginning of the first full pay period on or after 15 November 1991.

(c) Trainee - Seafood Handler (as defined)

The minimum weekly wage rate payable to a Trainee - Seafood Handler (as defined) shall be the amount resulting from the following calculation:

By taking 85% of the total weekly rate payable to a Process Attendant Level 1 (as defined) in Clause 8 - Wage Rates, Division A, subclause 1(a), classification 1, of this award then multiplying it by 39 (which represents the actual number of weeks spent on the job) and dividing it by 52.

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PROVIDED that the minimum weekly wage rate determined by this calculation shall in no case be less than the minimum weekly rate (as varied from time to time) prescribed by the Australian Traineeship System Guidelines.

PROVIDED ALWAYS that the minimum weekly wage rate for a Trainee - Seafood Handler (as defined) shall be calculated in multiples of ten (10) cents with any result of five (5) cents or more being taken to the next ten (10) cents.

DIVISION B - SEA BASED FIN FISH FARM EMPLOYEES

1. WAGE RATES

- (a) Employees in a classification level hereunder mentioned shall be paid the base rate and supplementary payment appearing opposite that classification:

No.	Classification	Wage Relativity	Base Rate Per Week	Supplementary Payment	Total Weekly Rate
		%	\$	\$	\$
1	Finfish Farm Attendant Level 1(as defined)	90	328.70	46.80	375.50
2	Finfish Farm Attendant Level 2 (as defined)	101	368.90	52.50	421.40

- (b) Additional Payments

Finfish Farm Attendants (as defined) who are required by the employer to undertake diving duties shall, in addition to the rates prescribed in subclause (a) of this division receive an amount of \$2.50 per hour, or part thereof, where diving equipment, excluding tools are supplied by the employer. However, in instances where the employee supplies his or her own diving equipment, excluding tools, the amount shall be \$7.00 per hour or part thereof.

- (c) Supplementary Payment

The amount appearing in the column headed Supplementary Payment in subclause (a) of this division is to be absorbed against any overaward payment being paid by an employer as from the beginning of the first full pay period on or after 15 November 1991.

- (d) Translation Schedule

From the first full pay period on or after 15 November 1991 employees occupying classifications in the Poultry Game and Marine Products Award shall be re-classified to one of the appropriate levels as set out below:

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New Classification

Existing Classification
(Poultry, Game and
Marine Products Award)

Level 1

New Level/Trainee

Level 2

Level 1 Process Worker

Level 3

Forklift driver
Boiler Attendant
Refrigeration Attendant

Level 4

Trades Level"

OPERATIVE DATE:

The operative date for the foregoing amendments shall be from the beginning of the first full pay period to commence on or after 19 May 1993.

R J Watling
COMMISSIONER

20 May 1993