

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
s.29 application for hearing of an industrial dispute

Metals and Engineering Workers' Union
(T.3518 of 1991)

CEMENT MAKERS AWARD

COMMISSIONER P A IMLACH

11 November 1991

Wage rates - State Wage August 1991 - Structural Efficiency Principle

Order - No. 3 of 1991

The above award is varied as follows:

1. In Clause 3 - Arrangement insert the following new clauses:

Enterprise Agreements	17A
Structural Efficiency	29A

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.

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

8. WAGE RATES

DIVISION A - EMPLOYEES OTHER THAN LABORATORY WORKERS AND CLERKS

1. WAGE RATES

The amounts set out hereunder shall be the minimum rates payable to classifications of employees named herein:

Section I - Persons Employed in Limestone Quarries

	Amount Per Week 38 Hours \$
1. Halco or Gardner Denver Driller	333.80
2. Tamrock DHA 800 Drill Operator	381.70
3. Powder Monkey	339.80
4. Assistant powder monkey	324.00
5. Jackhammer or popper machinist	324.00
6. Quarryman	316.20
7. Crusher attendant	325.60

Section II - Plant Operatives (Regular Shift Workers)

1. Cement Burner No. 4 Kiln	397.00
2. Millers (when operating 3 mills or less)	330.50
3. Millers (operating more than 3 mills)	334.50
4. Miller (No. 4 Raw Mill and No. 4 Cement Mill)	341.80
5. Utility man	317.00
6. Pre-heater attendant	316.20
7. Shift tester	336.30
8. Shift labourer	316.20
9. Assistant (No. 4 Raw Mill)	323.20

Employees in this Section shall be paid a shift allowance of 9.9 per cent of the ordinary rate (excluding all allowances) of classification 4, Miller No. 4 Raw and Cement Mill, per week of 38 hours. This allowance shall be taken into consideration in the computation of overtime.

Section III - Day Workers

1. Electric Overhead crane driver	342.40
2. Employees driving other motor vehicles having maker's capacity of -	

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.

1.2 tonnes or less	355.20
Over 1.2 tonnes but not over 3 tonnes	359.20
Over 3 tonnes but under 6 tonnes	364.00
6 tonnes and over, but under 7 tonnes	364.70
7 tonnes and over, but under 8 tonnes	365.60
8 tonnes and over, but under 9 tonnes	366.30
9 tonnes and over, but under 10 tonnes	367.20
10 tonnes and over, but under 11 tonnes	368.10
11 tonnes and over, but under 12 tonnes	369.00
12 tonnes and over, but under 13 tonnes	369.60
13 tonnes and over, but under 14 tonnes	370.80
14 tonnes and over, but under 15 tonnes	371.70
15 tonnes and over, but under 16 tonnes	372.50
16 tonnes and over, but under 17 tonnes	373.40
17 tonnes and over, but under 18 tonnes	373.80
18 tonnes and over, but under 19 tonnes	375.00
19 tonnes and over, but under 20 tonnes	376.10
20 tonnes and over, but under 21 tonnes	376.60
21 tonnes and over, but under 22 tonnes	377.00
22 tonnes and over, but under 23 tonnes	377.50
23 tonnes and over	378.70

Motor (not being a tractor) drawing trailer for a loaded single-axle trailer \$1.33 per day extra, or for any empty single-axle trailer 74.5 cents per day extra.

For any other loaded trailer \$1.73 per day extra or for any other empty trailer 97 cents per day extra. Provided that not more than one trailer shall be drawn at any one time.

3. Employees driving articulated vehicle having maker's capacity of –

9 tonnes or less	371.10
9 tonnes and over, but under 10 tonnes	372.10
10 tonnes and over, but under 11 tonnes	372.60
11 tonnes and over, but under 12 tonnes	373.50
12 tonnes and over, but under 13 tonnes	374.60
13 tonnes and over, but under 14 tonnes	375.30
14 tonnes and over, but under 15 tonnes	376.40
15 tonnes and over, but under 16 tonnes	376.80
16 tonnes and over, but under 17 tonnes	377.30
17 tonnes and over, but under 18 tonnes	378.80
18 tonnes and over, but under 19 tonnes	379.40
19 tonnes and over, but under 20 tonnes	380.30
20 tonnes and over, but under 21 tonnes	380.90
21 tonnes and over, but under 22 tonnes	381.60
22 tonnes and over, but under 23 tonnes	382.70

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.

23 tonnes and over, but under 24 tonnes	383.40
24 tonnes and over, but under 25 tonnes	383.90
25 tonnes and over, but under 26 tonnes	384.70
26 tonnes and over, but under 27 tonnes	385.90
27 tonnes and over, but under 28 tonnes	386.70
28 tonnes and over, but under 29 tonnes	387.00
29 tonnes and over, but under 30 tonnes	387.70
30 tonnes and over, but under 31 tonnes	394.40
31 tonnes and over, but under 32 tonnes	395.00
32 tonnes and over, but under 33 tonnes	395.70
33 tonnes and over	396.70
4. Winchdriver	324.80
5. Driver of tractor without power operated attachments or with power operated attachments not in use -	
(a) 35kW brake power and under	325.60
(b) Over 35kW brake power and up to 70kW brake power	331.30
6. Driver of tractor using power operated attachments	
(a) Up to 35kW brake power	331.30
(b) Over 35kW brake power and up to 70kW brake power	338.50
(c) Over 70kW brake power and up to 110kW brake power	343.70
(d) Over 110kW brake power	347.80
7. Driver of loader -	
(a) Up to and including .75 cubic metres	338.50
(b) Over 2.25 cubic metres and up to 4.5 cubic metres	347.80
(c) Terex Loader - 5.74 cubic metres	367.50
8. Driver of mobile crane with lifting capacity of	
Up to 5 tonnes	335.10
In excess of 5 tonnes not exceeding 10 tonnes	340.50
9. Driver of Terex or similar rear dump truck with capacity of 35 tonnes	380.80
10. Mill room traversing crane driver	329.60
11. Bagging machine-man and/or loader and/or trucker	323.20
12. Attendant, Devonport Silos	339.70
13. Rigger's Assistant	318.90

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.

14.	Fettler	316.20
15.	Transporter attendant	323.20
16.	Employee engaged in shovelling cement from silo floor during cleaning of silo	316.20
17.	Employee engaged in shovelling cement at mill transporter plant	316.20
18.	Storeman	341.80
19.	General Labourer and any other adult employee not elsewhere included	316.20

Section IV - Asbestos Cement Workers

1.	Wet Machine Operator	333.80
2.	Sieveman	333.80
3.	Paint Machine Operator	330.50
4.	Moulder more than 12 months experience	326.30
5.	Moulder 3 months to 12 months experience	323.00
6.	Autoclave Operator	323.00
7.	Sanding and Trimming Machine Operator	323.00
8.	Tide Mill Operator	323.00
9.	Cutter off	321.60
10.	Guillotine Operator (wet)	321.60
11.	Guillotine Operator (dry)	321.60
12.	Corrugated docker	321.60
13.	Pad Machine Operator	321.60
14.	Senior Plateman	318.40
15.	Moulder - first 3 months experience	318.40
16.	Stripper and Stacker	316.60
17.	Pendant Crane Operator	316.60
18.	Plateman	316.60
19.	Boiler Attendant	322.00

Section V - Auxiliary Services

1.	Fitter and/or turner and/or machinist	396.00
2.	Blacksmith	398.30
3.	Welder (special class)	413.40
4.	Welder (other)	396.00
5.	Carpenter	396.00
6.	Painter	396.00
7.	Electrical mechanic	396.00

Provided that an employee who is a holder of an A Grade licence shall be paid an additional allowance of \$9.80 per week.

8.	Electrician Special Class (as defined)	459.40
9.	Machinist - Second Class	335.70
10.	Machinist - Third Class	323.50

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.

11. Tradesman's Assistant	314.20
12. Patrolman	328.00
13. Rigger	349.50

2. DISABILITY ALLOWANCE

In addition to the wage rates prescribed in this Division all employees classified herein shall be paid a disability allowance of \$14.10 per week in recognition of and compensation for the disabilities generally associated with the industry for which this award is established.

This allowance shall be paid for all purposes of the award.

3. SPECIAL ALLOWANCE

Employees engaged on maintenance work on board bulk cargo ships shall be paid the following amounts per week:

Tradesman	\$8.20
Trades Assistants	6.70
Apprentices	7.80

4. LEADING HANDS

- (a) If in charge of not less than 3 and not more than 10 employees - \$14.90
- (b) If in charge of more than 10 and not more than 20 employees - \$22.00
- (c) If in charge of more than 20 employees - \$28.40

The above rates shall be paid over and above the highest classification rate which applies to employees under Leading Hands charge, or over and above the Leading Hands normal classification, whichever is the highest.

5. JUNIOR WORKERS

The minimum rates of wages that may be paid to workers not elsewhere provided for in this award shall be the undermentioned percentages of the appropriate adult rate for the class of work performed:

Under 17 years of age	70%
17 to 18 years of age	80
At 18 years of age	Adult Rate

Adjustment to be made to the nearest 10 cents.

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. APPRENTICES

The minimum rates of wages that may be paid to apprentices shall be the undermentioned percentages of the total wage for classification 1, Section V, subclause 1 of this Clause, adjusted to the nearest 10 cents.

		Amount per Week \$
First year	42%	166.30
Second year	55	217.80
Third year	75	297.00
Fourth year	92	364.30

In addition to the wage rates prescribed in this subclause, apprentices shall be paid a disability allowance of \$13.60 per week.

7. RAILTON MAINTENANCE TRADESMAN'S ALLOWANCE

In addition to the wage rates and allowances prescribed elsewhere in this award, employees classified as tradesmen in the trades specified hereunder shall be paid the following all-purpose allowance:

	Allowance Per Week \$
Fitter	4.90
Blacksmith	4.90
Welder (Special)	4.90
Welder (Other)	4.90
Carpenter	3.90
Painter	2.30
Electrical Mechanic	4.90
Electrician Special Class	4.90

This allowance is in recognition of the special skill and diversity required to be exercised by Railton tradesmen in the performance of their work.

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.

DIVISION B - LABORATORY WORKERS

1. WAGE RATES

The minimum rates of wages that may be paid to employees specified in this Division shall be as follows:

	Amount Per Week 38 Hours \$
1. Sampler and tester	316.20

2. JUNIOR WORKERS

The minimum rates of wages that may be paid to workers not elsewhere provided for in this award shall be the undermentioned percentages of the appropriate adult rate for the class of work performed:

Under 17 years of age	70%
17 to 18 years of age	80
At 18 years of age	Adult Rate

Adjustment to be made to the nearest 10 cents.

3. DISABILITY ALLOWANCE

In addition to the wage rates prescribed in this Division all employees classified herein shall be paid a disability allowance of \$14.10 per week in recognition of and compensation for the disabilities generally associated with the industry for which this award is established.

This allowance shall be paid for all purposes of the award.

DIVISION C - CLERKS

1. WAGE RATES

The amounts set out hereunder shall be the minimum rates payable to adult employees -

	Amount Per Week 38 Hours \$
Grade I	
1 st year's experience after age 21	335.10
2 nd year's experience after age 21	351.00
3 rd year's experience after age 21	366.00
4 th year's experience after age 21	375.70

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.

Grade II

1 st year of appointment	384.50
2 nd year of appointment	399.80
3 rd year of appointment	409.90
4 th year of appointment	419.10

Grade III

1 st year of appointment	427.00
2 nd year of appointment	437.60
3 rd year of appointment	448.10
4 th year of appointment	457.00

Grade IV

1st year of appointment	469.10
2nd year of appointment and thereafter	480.20

Appointment to the second, third and fourth grades is at the discretion of the employer.

PROVIDED THAT employees classified herein who have passed examinations in an approved course of study, mutually agreed to be of value to the Company shall, when such learning is applied in the normal duties of the employee concerned, be paid the following additional allowances:

- \$1.20 per week for each Certificate of Business Studies subject.
- \$1.20 per week for each Diploma Course semester unit.

Provided further that this provision shall likewise apply to employees mentioned in subclause 1 (Wage Rates) hereof.

2. JUNIOR EMPLOYEES

The minimum rates of wages that shall be paid to junior employees shall be the undermentioned percentages of the total wage for the first year adult, Grade I, subclause 1 (Wage Rates) adjusted to the nearest ten cents.

	% of 1st Year Adult Grade I	Amount per Week \$
16 to 17 years of age	45%	150.80
17 to 18 years of age	55	184.30
18 to 19 years of age	70	234.60
19 to 20 years of age	80	268.10
20 to 21 years of age	90	301.60

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.

3. Insert a new clause 17A - Enterprise Agreements as follows:

17A ENTERPRISE AGREEMENTS

- (a) Notwithstanding anything contained in this award, but subject to the provisions of this clause, an enterprise agreement may be entered into between the employer and all or some of the employees engaged by that employer.
- (b) An agreement shall be subject to the following requirements:
 - (i) The majority of employees affected by the change must genuinely agree to the change.
 - (ii) The agreement taken as a whole shall not confer a lesser benefit to any employee than is available under the award.
 - (iii) The relevant union/s shall be advised by the employer of the intention to commence discussions with employees on an agreement under this clause.
 - (iv) The relevant union/s must be a party to the agreement.
 - (v) The relevant union/s shall not unreasonably oppose any agreement.
- (c) An enterprise agreement shall be signed by the parties, being the employer and the union/s, and contain the following:
 - (i) The term of the agreement.
 - (ii) The parties covered by the agreement.
 - (iii) The classes of employees covered by the agreement.
 - (iv) The means by which a party may retire from the agreement.
 - (v) The means by which the agreement may be varied.
 - (vi) Where appropriate, the means by which any dispute arising in respect of the agreement may be resolved.
- (e) Any agreement which seeks to vary a provision of this award shall be referred to the Tasmanian Industrial Commission.

4. Insert a new clause 29A - Structural Efficiency as follows:

29A STRUCTURAL EFFICIENCY

- (a) The parties to this Award are committed to cooperating positively to increase the efficiency and productivity of the company enterprise and to enhance the career opportunities and job security of employees subject to the Award.
- (b) Consistent with the objectives of subclause (a) herein, the employer, employees and the unions shall establish consultative mechanisms and procedures appropriate to the size, structure and needs of the enterprise.

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.

- (c) Consistent with the classification structure of this Award, provided that such duties are not designed to promote deskilling, an employer may direct an employee to carry out such duties as are within the limits of an employee's skill, competence and training.

5. In Clause 34 - General Conditions, insert the following in numerical order:

Enterprise Agreements	17A
Structural Efficiency	29A

OPERATIVE DATE

This order shall come into effect from the first full pay period commencing on or after 28 October 1991.

P A Imlach
COMMISSIONER

11 November 1991