

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s.23 application to vary an award

National Union of Workers
T.3226 of 1991

WHOLESALE TRADES AWARD

ACTING PRESIDENT A. ROBINSON

State Wage Case - private sector awards - 2.5% adjustment to salaries and allowances

ORDER -

No. 6 of 1991

AMEND THE **WHOLESALE TRADES AWARD** IN THE FOLLOWING MANNER:

1. Delete Clause 4 - Date of Operation - and insert in lieu there of the following:

"4. DATE OF OPERATION

This award shall come into operation from the beginning of the first full pay period to commence on or after 28 August 1991.

PROVIDED that it is a term of this award (arising from the decision of the Tasmanian Industrial Commission in the State Wage Case of 13 August 1991) that the unions undertake, until 30 November 1991, not to pursue any extra claims, award or overaward, except where consistent with those principles."

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

"8. WAGE RATES

DIVISION A - ALL EMPLOYEES OTHER THAN COMMERCIAL TRAVELLERS

WHOLESALE ESTABLISHMENTS

1. WAGES

(a) Adults

An adult employee shall be paid not less than the rate of wages set out in subclause 1(b) and (c) of this clause for the pay level assigned to their classification.

(b) Stores and Warehousing Stream

AMOUNT PER WEEK

(i) Wage Group	Base Rate	Supplementary Payment	Total Amount per week
	\$	\$	\$
LEVEL 1			
On commencement	319.20	32.90	352.10
After 3 months service	325.70	28.20	353.90
After 12 months service	332.30	23.70	356.00
LEVEL 2	337.40	22.40	359.80
LEVEL 3	353.90	13.40	367.30
LEVEL 4	368.50	3.10	371.60

- (ii) For the purpose of subclause 1(b)(i) of this clause for the purpose of determining the placement of an employee in Level 1 service shall be deemed to be adult experience only.

(c) Manufacturing and Packing Stream

	AMOUNT PER WEEK		
	Base Rate	Supplementary Payment	Total Amount per week
	\$	\$	\$
LEVEL 1	284.80	40.60	325.40
LEVEL 2	299.50	38.30	337.80
LEVEL 3	319.20	35.00	354.20
LEVEL 4	337.40	21.90	359.30
LEVEL 5	353.90	10.10	364.00

(d) Transition to New Classification Structure

For the purpose of paragraphs (b) and (c) of this subclause employees shall be translated into the new classification structure subject to the following:

(i) Classification Structures

The old classification structure forms Appendix A to this Award and corresponding definitions are set out in Clause 7 - Definitions of this Award.

The new classification structure forms Appendix B to this Award.

(ii) Duration

The process of translating employees from the old to the new classification structure shall commence from the beginning of the first full pay period commencing on or after 23 April 1991 and be completed by 23 October 1991.

(iii) Transitional Arrangements

(1) From the beginning of the first full pay period to commence on or after 23 April 1991 an employee's wage group set out in paragraphs (b) and (c) of this subclause shall be determined in accordance with the classification structure set out in Appendix A of this Award.

- (2) Translation to the new classification structure set out in Appendix B of this Award is to be completed for all relevant employees by 23 October 1991. In the interim period until the translation process is completed existing definitions in Clause 7 - Definitions will apply provided that an employee will work as directed in accordance with Clause 12 - Contract of Employment.
- (3) Upon translation to the new classification structure employees will perform work in accordance with the new classification and definition structure as set out in Appendix B of this Award.
- (4) For the purposes of determining the placement of an employee within the streams identified in Appendix B of this Award an employee shall fall within either the Stores and Warehousing or Manufacturing and Packing Streams by reference to the principal nature of the employer's operation.

An employee engaged by a Wholesale Grocer, Wholesale Wine and Spirit Merchant and/or Wholesale Tobacconist and Wholesalers not specifically subject to the jurisdiction of any other Award of the Tasmanian Industrial Commission, shall be engaged under the Stores and Warehousing Stream.

An employee engaged by a Manufacturer and/or Packer of Condiments, Coffee, Baking Powder, Soap Powder, Washing Soda, Candles, Blacking and Sand Soap, Self Raising Flour, Products containing Dried Fruits, Pudding and Cake Mixes, Icing Sugar and other Sugar Based Products and allied Grocery Items and a manufacturer of Cereal Breakfast Foods, shall be engaged under the Manufacturing and Packing Stream.

- (5) Any dispute arising out of the translation process shall be dealt with in accordance with Clause 27 - Settlement of Disputes.

(e) Junior Employees - Stores and Warehousing and Manufacturing and Packing Streams

(i) Stores and Warehousing

The minimum rates of wages to be paid to a junior engaged under the Stores and Warehousing Stream shall be the undermentioned percentages of the total rate for an Adult, Store and Warehousing Stream LEVEL 1, on commencement, paragraph 1(b)(i) of this subclause.

	Percentage	Amount per Week \$
Under 16 years of age	55	193.70
16 years of age	65	228.90
17 years of age	78.5	276.40
18 years of age	93	327.50
19 years of age	100	352.10
20 years of age	100	352.10

(ii) Manufacturing and Packing

The minimum rates of wages per week that shall be paid to a junior engaged under the Manufacturing and Packing Stream shall be the undermentioned percentages of the total rate for an Adult, Manufacturing and Packing Stream LEVEL 2 of paragraph 1(c) of this subclause.

	Percentage	Amount per Week \$
Under 16 years of age	55	185.80
16 years of age	65	219.60
17 years of age	78.5	265.20
18 years of age	93	314.20
19 years of age	100	337.80
20 years of age	100	337.80

2. MINIMUM WAGE

- (a) Notwithstanding the provisions of subclause 1 hereof, no adult employee shall be paid less than the rate of \$254.50 per week.
- (b) **PROVIDED** that payments for overtime, special rates, weekend penalties and holiday work prescribed in this award shall not be taken into account in the calculation of such minimum weekly rate of wage.

Where a minimum rate of pay as aforesaid is applicable to an employee for the work in ordinary hours the same rate shall be applicable to the calculation of overtime and all other penalty rates, payment during sick leave and annual leave, and for all other purposes of this award.

CLERKS

1. WAGES

Except as prescribed in paragraph (b) of subclause 2 hereof, adult employees of a classification hereunder mentioned shall be paid the amount assigned opposite that classification.

	Amount per Week \$
1. 1st year's adult experience	310.10
2nd year's adult experience	331.70
3rd year's adult experience & thereafter	359.90
2. An accountant or chief clerk wholly responsible for the office work and who prepares the balance sheet and profit and loss account.	478.90
3. A clerk who is in charge of and responsible for the work of:	
(a) 5 or more employees	425.70
(b) 3 or more employees	409.20
(c) 2 employees	401.10

"Employees" in this subsection shall mean any male or female clerk, typist or stenographer and shall include the clerk-in-charge.

2. JUNIORS

The minimum rates of wages that may be paid to juniors shall be the undermentioned percentages of the second year adult rate adjusted to the nearest 10 cents.

	Percentage	Amount per Week \$
(a) Under 16 years of age	40	132.70
16 to 17 years of age	45	149.30
17 to 18 years of age	55	182.40
18 to 19 years of age	70	232.20
19 to 20 years of age	80	265.40
20 to 21 years of age	90	298.50

(b) **Proviso**

When determining the amount payable to an employee attaining the age of 21 years, who has been employed as a junior clerk in the trades or groups of trades in respect of awards of the Tasmanian Industrial Commission relating to private industry employees, experience obtained after reaching the age of 18 years shall be counted as adult experience.

(c) **Additional Payments**

In addition to the weekly rates prescribed herein the following additional amounts per week shall be paid to stenographers, audio-typists, tele-typists, accounting machine, computer, data processing, tabulating machine, card punch and verifier operators.

	Amount \$
Under 16 year of age	1.00
16 to 17 years of age	1.20
17 to 18 years of age	1.30
18 to 19 years of age	1.50
19 to 20 years of age	1.90
20 to 21 years of age	2.10
21 years of age and over	2.70

(d) **Trainee Clerk (as defined)**

The minimum weekly wage are payable to a trainee clerk (as defined) shall be determined by the following method of calculation:

By taking the appropriate wage rate for a junior clerk as described in paragraph (a) then multiplying it by 39 and dividing it by 52 (39 being the actual number of weeks on the job).

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

PROVIDED ALWAYS that Trainee Clerk (as defined) wage rate shall be calculated in multiples of 10 cents with any result of 5 cents or more being taken to the next 10 cents.

3. CARTERS AND DRIVERS

1. WAGES

The wage rates and loadings set out in this subclause shall be the minimum rates payable to the employees herein named:

	Amount per Week \$
Employee driving motor vehicle having maker's capacity of:	
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	368.10
Motor driver's assistant and yardman	339.50

	Amount per Week \$
Further additional amount for employee driver collecting money per week	
For any amount handled up to \$20	0.60
Over \$20 but not exceeding \$200	1.10
Over \$200 but not exceeding \$600	2.30
Over \$600 but not exceeding \$1000	3.30
Over \$1000	4.30

2. JUNIORS

The minimum rates of wages that may be paid to junior employees shall be the undermentioned percentages of the appropriate adult rate:

	%
Under 19 years of age	70
19 and under 20 years of age	80
20 years of age and over	adult rate

DIVISION B - COMMERCIAL TRAVELLERS

1. WAGES

The minimum rates of wages that may be paid to employees shall be the undermentioned:

	Amount per Week \$
1. Country Traveller	418.70
2. Town or Local Traveller	384.30
3. Probationary Traveller	349.90"

4. Delete Clause 33 - Supplementary Payments - and insert in lieu thereof the following:

"33. SUPPLEMENTARY PAYMENTS

- (a) A supplementary payment is the minimum amount an employer is required to pay an employee above the relevant base rate prescribed by Division A of Clause 8 - Wage Rates - All Employees other than Commercial Travellers, Wholesale Establishments.
- (b) Subject to the provisions of subclause (a) hereof, the amount specified in column (A) of subclause (c) hereof is to be fully absorbed into any overaward payments made to the relevant employee at the beginning of the first full pay period to commence on or after 23 April 1991.

(c)

		Supplementary Payment Per Week	
		Column A	Column B
		\$	\$
<u>Stores and Warehousing</u>			
LEVEL 1	on commencement	4.00	32.90
	after 3 months service	5.80	28.20
	after 12 months service	7.70	23.70
LEVEL 2		8.30	22.40
LEVEL 3		11.90	13.40
LEVEL 4		16.00	3.10
<u>Manufacturing and Packing</u>			
LEVEL 1		NIL	40.60
LEVEL 2		1.30	38.30
LEVEL 3		3.30	35.00
LEVEL 4		8.40	21.90
LEVEL 5		13.00	10.10"

4. DATE OF OPERATION:

The foregoing variations shall have effect from the commencement of the first full pay period commencing on or after 28 August 1991.

