

IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.2244 of 1989

**IN THE MATTER OF AN APPLICATION BY
THE FEDERATED CLERKS UNION OF
AUSTRALIA, TASMANIAN BRANCH TO VARY
THE WHOLESALE TRADES AWARD**

RE: TRAINEESHIPS

AND

T.2245 of 1989

**IN THE MATTER OF AN APPLICATION BY
THE FEDERATED CLERKS UNION OF
AUSTRALIA, TASMANIAN BRANCH TO VARY
THE FUEL MERCHANTS AWARD**

RE: TRAINEESHIPS

ORDER

No. 1 of 1990

AMEND THE WHOLESALE TRADES AWARD IN THE FOLLOWING MANNER:

THE WHOLESALE TRADES AWARD IS VARIED AS FOLLOWS:

1. Insert in alphabetical order in clause 3 - ARRANGEMENT - DIVISION A a new clause in the following manner:

Trainee Clerk (as defined)	33
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and renumber subsequent clauses in Division B as follows:

Expenses and Accommodation	34
General Conditions	35
Locomotion	36
Special Allowances	37

2. Insert in alphabetical order in clause 7 - DEFINITIONS - For the purposes of Division A the following:

'Trainee Clerk' means a person employed by the employer under the terms of the Australian Traineeship System and any agreements attached thereto.

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

3. Insert in clause 8 - Division A, Subdivision 2 - Clerks, subclause 2 - Juniors the following new paragraph:

- (d) The minimum weekly wage rate 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) of this subdivision 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 Traineeships System Guidelines.

PROVIDED FURTHER that trainee clerk (as defined) wage rate 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.

4. By inserting a new clause in Division A as follows:

33. TRAINEE CLERK

- (a) Trainee Clerk (as defined) shall be engaged for a period of twelve (12) months as a full-time employee, **PROVIDED THAT** a trainee shall be subject to a satisfactory probation period of up to one (1) month.
- (b) Where possible, traineeship positions should be additional to normal staff numbers **PROVIDED THAT** no existing weekly employees shall be displaced by a trainee.
- (c) A trainee clerk (as defined) will receive on-the-job training by the employer as specified in the training agreement (as defined) and off-the-job training will be provided through the Division of Technical and Further Education or such other institution approved by the Training Authority of Tasmania.
- (d) The employer agrees that the overall training program will be monitored by officers of the Training Authority of Tasmania and training record books may be used as part of this monitoring process.
- (e) Time spent off-the-job on training shall be allowed without loss of continuity of employment.
- (f) Where an employer continues the employment of a trainee clerk (as defined) after completion of the "traineeship period", such "training period" shall be counted as service for the purpose of the award.
- (g) Under normal circumstances overtime shall not be worked by trainees. However, when during a training period in a particular section, overtime is involved in the operation of that section, overtime may be worked by the trainees. Where overtime is worked the normal allowances and penalty rates shall apply.
- (h) The union shall be afforded reasonable access to trainees for the purposes of explaining the role and functions of the union.
- (i) Trainees shall not perform higher duties unless in the course of their traineeship.
- (j) Trainees shall be exempt from action in respect of industrial disputes. However the employer shall observe the provisions determined by the Training Authority of Tasmania in respect of the use of trainee clerks (as defined) in the time of industrial disputes.

- (k) Notwithstanding the provision of Clause 24 - RATIO OF JUNIORS TO ADULT EMPLOYEES of the award, the ratio provisions shall not apply to, or include, trainee clerks.

OPERATIVE DATE

The aforementioned variations shall come into effect from the beginning of the first full pay period to commence on or after 15 March 1990.

