

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s23 application for award or variation of award

Tasmanian Trades and Labor Council
(T13142 of 2008)
Private Sector Awards

Minister administering the *State Service Act 2000*
(T13143 of 2008)
Public Sector Awards

FULL BENCH:

PRESIDENT P L LEARY
DEPUTY PRESIDENT P C SHELLEY
COMMISSIONER T J ABEY

Wage Rates – State Wage Case 2008 – applications to vary private and public sector awards – Private Sector Awards – Public Sector Awards, other than named awards - award wage rates to be increased by \$19.00 per week - wage related allowances to be increased by 3.1% – meal allowance increased to \$14.60 - State Minimum Wage rate determined at \$546.10 - s.35(1)(b) – operative date ffpp 1 August 2008

TOURISM TASMANIA AWARD

ORDER BY CONSENT

**No. 1 of 2008
(Consolidated)**

AMEND THE **TOURISM TASMANIA AWARD** BY DELETING FROM CLAUSE 7 – DEFINITIONS THE DEFINITION “TERM APPOINTMENT” AND BY DELETING ANNEXURE A; AND THE AWARD IS CONSOLIDATED:

1. TITLE

This award is the "Tourism Tasmania Award".

2. CONTENTS

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3. SCOPE

This award is to apply to persons employed under the *Tasmanian State Service Act 1984*, in Tourism Tasmania who occupy positions covered by classifications contained in this award.

4. DATE OF EFFECT

This award is to take effect from the first full pay period to commence on or after 1 August 2008.

5. SUPERSESION AND SAVINGS

This award supersedes Order No. 3 of 2007 (Consolidated).

PROVIDED that no entitlement accrued or obligation incurred is to be affected by the supersession.

6. AWARD INTEREST

- (a) The employee organisation having, under Section 63(10) of the Act, an interest in this award is The Community and Public Sector Union (State Public Services Federation Tasmania).
- (b) Under Section 62(4) of the Act, the Minister for Public Sector Administration is deemed to be an employer organisation having an interest in this award.

7. DEFINITIONS

In this award unless the contrary intention appears:

- (a) General Definitions:

'Casual employee' means a person engaged to work on an irregular basis by the employer as and when required but does not include any person employed on a part-time or full-time basis.

'Employee' means a person employed under the provisions of Section 38 of the *Tasmanian State Service Act 1984* and is to include persons who were appointed under the provisions of Section 34 of the Act prior to the operation of this award.

'Employer' means the Minister for Public Sector Administration.

'Full-time employee' means a person engaged to work for the full ordinary weekly hours of work of the relevant position.

'Part-time employee' means a person engaged to work on a regular basis for a lesser number of ordinary weekly hours than is applicable to an equivalent full-time employee.

'Shiftworker' and **'Seven day shiftworker'** is to be as defined in Clause 7 - Definitions of the General Conditions of Employment Award.

(b) Classification Standards Definitions

(i) Administrative and Clerical Definitions

'Administrative work' means the exercise of an appropriate level of responsibility and discretion in undertaking functions of an administrative nature where administration is concerned with achievement of the organisation's corporate goals through planning, organising, directing and controlling resources and/or activities. Administration is also concerned with the development and implementation of policy to achieve set objectives and desired outcomes.

'Broad direction' means that employees are expected to develop and achieve objectives for specific functions under their control that will ensure the attainment of results critical to the efficient operation of the work unit, section, branch or Agency.

'Clerical direction' means instructions and guidance on particular tasks and programs given by supervisors or managers to subordinate staff. It includes direction from sources such as legislation, standards and manuals.

'Clerical supervision' means supervision provided by supervisors or managers to subordinate staff to ensure adherence to directions given, to decide on proposed solutions or courses of action, and to review and check the work of clerical staff.

'Clerical work' means the exercise of an appropriate level of responsibility and clerical knowledge and skill under a requisite degree of direction and supervision in the understanding of the preparation, processing and maintenance of documents, records and electronic data representing the transactions or business of the work unit or organisation being served. Clerical work is performed within a framework of legislation, policies, procedures, regulations, guidelines, precedents, instructions, or custom and practice, both written and oral.

'Direct supervision' means there is limited responsibility for the final outcome of work undertaken because only limited discretion is available to select the appropriate means of completing the task. Conformity with instructions is measured by the satisfactory completion of allocated tasks.

'General direction' means situations where detailed or specific instructions are limited to unusual features.

'General supervision' means that general instructions are given and tasks are undertaken to achieve the required outcomes or objectives. Discretion and choice in selecting the most appropriate method of completing the allotted tasks is expected and encouraged.

'Limited supervision' means that work is undertaken within established objectives and with little guidance. Conformity with instructions is usually measured in terms of achievement of stated objectives to senior management-agreed standards.

'Routine supervision' means the responsibility for the final outcome is limited because the work is carried out in accordance with established guidelines and practices, however there is scope for the exercise of discretion in the choice of work methods.

'Specific direction' means situations where precise instructions are given with little or no choice provided.

(ii) Operational Definitions

'Administrative supervision' means persons working under administrative supervision would normally have the work area defined in terms of broadly stated responsibilities and functions. They are expected to undertake work within this framework and would not usually be told what is to be done. The person would not normally receive technical instruction from their supervisor.

The person has a broad framework of trade or subject matter knowledge and extensive experience. Within this framework they would be required to make informed decisions relating to their own work, the work of their area and the supervision of that area.

The person's own performance and the overall performance of their area are kept under review through oral and written work reports. Inspection of the work area would be infrequent.

'Direct supervision' means persons working under direct supervision are usually given a few easily understood instructions. Where appropriate, deadlines and priorities for task completion would also be given.

While the person may be expected to use some judgment in carrying out routine recurring assignments, it is expected that deviations, problems or unfamiliar situations not covered in general instructions would be referred to the supervisor.

The work is normally subject to progress checks, and the final product or results are usually checked.

'Direction' refers to instructions and guidance to subordinate operational staff by senior personnel. It includes direction from non-human sources such as manuals, codes, standards, etc.

'General supervision' means persons working under general supervision would be provided with general instructions usually covering only the broader aspects of the work, or where there are unusual situations which do not have

clear precedents. This allows some latitude for staff to select the appropriate method and sequence in completing their tasks or assignments.

The person normally has a good knowledge and makes more involved decisions within the confines of this knowledge.

Tasks and assignments may be subject to progress checks usually to ensure in broad terms, that satisfactory progress is being made. Completed work may be evaluated for suitability and conformity to policy and requirements.

'Limited direction' means persons working under limited direction are provided with a clear statement of overall objectives and the resources available. In conjunction with their supervisor they decide on projects and assignments to be carried out and set deadlines.

The person is fully competent and very experienced in a technical sense and requires little guidance during the performance of assignments. The person would have authority to plan and carry out assignments, using some latitude in approach to achieve the desired objectives.

Completed work is reviewed only in terms of flexibility, compatibility with other work, or effectiveness in meeting defined objectives.

'Limited supervision' means persons working under limited supervision would be expected to have a broad trade or subject matter knowledge and wide experience. They perform work in accordance with broadly based standing instructions. In a technical sense, the person is fully competent and very experienced requiring little guidance.

The person is expected to report on the work of the area required. The area's progress and performance would normally be inspected at irregular intervals. The standard of product performance of the area is kept under review.

'Supervision' means the supervision given to subordinate operational staff by senior personnel and consists of ensuring adherence to directions, solving operational problems, giving decisions on operational solutions proposed by subordinate personnel and reviewing and checking the work of operational staff.

8. SALARIES

(a) Administrative and Clerical Employees

An employee appointed to a position classified under this award is to be paid at the salary rate applicable to a level in accordance with the classification standards set out in this clause. Effective on and from 3 October 1996 the salary rate shown in Column C includes provision for the annualisation of the Recreation Leave Allowance.

		Salary per annum
		\$
Level 1	First year of service	28390
	Second year	29625
	Third year	30161
	Fourth year and thereafter	32096

PROVIDED FURTHER that an employee who has completed 12 months service on the maximum salary rate prescribed for Level 1 is to progress to Level 2, subject to the employer being satisfied that the employee's overall performance has justified the progression.

Level 1 classification standard:

Trainee level concerned with basic clerical work undertaken under specific direction and direct supervision. Ability to acquire the required knowledge and skills derived from a reasonable standard of education.

		Salary per annum
		\$
Level 2	First year of service	33331
	Second year	34565
	Third year and thereafter	35800

Level 2 classification standard:

Routine work generally by specific direction undertaken under direct and/or routine supervision. Choices made based on established guidelines and instructions, written or verbal. Ability to acquire the required knowledge and skills to effectively undertake the work.

		Salary per annum \$
Level 3	First year of service	37035
	Second year	37653
	Third year	38270
	Fourth year	38991
	Fifth year and thereafter	39609

Level 3 classification standard:

Experienced clerical level - to achieve set outcomes, undertaken under routine supervision. Choices made based on established guidelines and instructions, written or verbal. Directly responsible for completion of tasks. A knowledge of established work practises is required. Experienced clerical level requiring good communication skills.

		Salary per annum \$
Level 4	First year of service	40764
	Second year	41399
	Third year	41828
	Fourth year	42672
	Fifth year and thereafter	43143

Level 4 classification standard:

Specialist functions undertaken under general direction and general supervision based on established procedures and practices. Exercise of limited discretion is required. Supervision of a small number of employees may be a feature. Experienced clerical level requiring a comprehensive understanding of relevant procedures and high-level communication skills.

		Salary per annum \$
Level 5	First year or service	44478
	Second year	45114
	Third year and thereafter	45749

Level 5 classification standard:

Clerical and administrative work of a value having an effect on the efficient operation of the work unit or Agency. A supervisory level. Work undertaken under general direction and general supervision, requiring initiative and the exercise of discretion. The exercise of a formal delegation may be required. Extensive

knowledge of the specific discipline with well-developed communication and problem-solving skills. Ability and experience in staff supervision.

		Salary per annum
		\$
Level 6	First year of service	46918
	Second year	47554
	Third year and thereafter	48190

Level 6 classification standard:

Administrative work which may require the management of human and material resources in carrying out a variety of complex functions under a broad range of conditions under general supervision. The exercise of judgement and initiative consistent with the possession of sound knowledge in the field of work within which the position operates. Guidelines and procedures are generally well recognised but there may be some interpretation required in order to establish and select the most appropriate approach to functions. Ability to research, evaluate and formulate information is critical. Experience in resource management is essential.

		Salary per annum
		\$
Level 7	First year of service	49461
	Second year	50716
	Third year and thereafter	51973

Level 7 classification standard:

Positions require a high degree of proficiency in the use of established administrative or managerial skills such as human resource management or accounting. Positions usually have responsibility for resource allocation and management and supervision of lower level employees in the achievement of divisional or organisational goals. Interpretation of policy and guidelines is a feature and functions are undertaken with general or limited supervision. A high level of experience in management practices is paramount.

		Salary per annum
		\$
Level 8	First year of service	54483
	Second year	55738
	Third year and thereafter	56993

Level 8 classification standard:

Positions at this level work with limited supervision, usually manage the operations of an organisational element, undertake a management function or provide consultative or administrative support and advice to a particular program or

activity. The tasks may be either complex or specific in nature but directed to the organisation's goals. Immediate subordinate positions may include staff in technical or professional structures, in which case supervision is for administrative purposes only. In other circumstances supervision may involve the exercise of technical or professional skill and judgement. Independence of action including the use and allocation of resources within laid-down restraints may be a feature. Decisions taken or responsibilities exercised may have a major effect on the operation of the work area. General management skills and the ability to contribute to the development of policy initiatives are required as is a high level of interpersonal and communication skills.

		Salary per annum
		\$
Level 9	First year of service	59500
	Second year and thereafter	60758

Level 9 classification standard:

Positions at this level operate as for Level 8 but only work under broad direction and are required to provide more authoritative specialist consultative or management advice generally or as it relates to a particular work area. Positions at this level are required to operate with a significant degree of independence of action and autonomy in day-to-day activities, accountable to management in terms of strategic direction and meeting objectives. The tasks carried out would be of a highly complex nature encompassing a significant element of total agency operations. Significant independence and autonomy of action is expected in achieving desired outcomes. Delegations exercised at this level may include being the final authority in the process of approving the expenditure of funds, undertaking specific action in line with the policy of the Agency, or reviewing previous actions or decisions. The development of rules, regulations and guidelines may be coordinated at this level. High level management skills are essential. Liaison and communication skills of a high order, including the ability to consult, negotiate or communication with clients or other groups on behalf of the Agency, often to finality, may be needed. A detailed understanding of legislation and the capacity to undertake specific or major research, and investigations or reviews is required.

		Salary per Annum
		\$
Level 10		63270

Level 10 classification standard:

A specialist consultative advisory level reporting to senior management under broad direction to achieve outcomes. The position would play a key role in planning, developing and implementing programs. The position would have a significant effect on the operation of the Agency and requires specialist administrative research or analytical skills. Highly developed marketing, conceptual and strategic skills are required for positions at this level.

	Salary per Annum
	\$
Level 11	65782

Level 11 classification standard:

A specialist with direct effect on government policy development and commentary. Required to initiate, develop and implement systems for effective forecasting, monitoring and control of government programs. Positions at this level are required to take initiative in providing a high standard of policy advice to government requiring a high level of expertise and/or extensive practical experience in relation to the implementation of a specialised program. Extensive investigative research and analytical skills with a high degree of proficiency in communication including the capacity to represent the Agency and/or Minister in public forums.

	Salary per Annum
	\$
Level 12	69548

Level 12 classification standard:

A principal adviser to government in relation to specific programs that have a direct and critical effect on governmental objectives. The highest level of professional and technical competency is required. The work is carried out in direct consultation with the chief executive or the government. Duties are undertaken without supervision and complete autonomy within the field of expertise is exercised. The highest level of skill in relation to communication, conceptual and strategic skills and investigative research and analytical skills.

(b) Operational Employees

An employee appointed to a position classified under this award is to be paid at the salary rate applicable to a level determined in accordance with the classification standards set out in this clause. Effective on and from 3 October 1996 the salary rate shown in Column C includes provision for the annualisation of the Recreation Leave Allowance.

	Salary per Annum
	\$
Level 1	30366
After 3 months	30861
After 15 months	31734

Level 1 classification standard:

Trainee level - Work under direct supervision and undertake routine activities which require basic mental and physical skills.

Work routines, methods and procedures well established.

	Salary per Annum \$ 32674
Level 2	

Level 2 classification standard:

Works under direct supervision either individually or in a team environment.

Performs routine manual tasks and/or operates basic equipment requiring previous training or experience.

Exercises minimal judgment in deciding how tasks are to be performed.

	Salary per Annum \$ 33331
Level 3	

Level 3 classification standard:

Works either individually or in a team environment under general supervision.

Performs a variety of manual tasks and/or operates plant, equipment and vehicles requiring more than a basic level of skill.

Exercises judgment in deciding how tasks are to be performed.

Exercises good communication and interpersonal skills where routine client liaison and/or supervisory responsibilities apply.

This is the first level within some industry streams at which a person may be required to supervise staff.

	Salary per Annum \$ 34565
Level 4	

Level 4 classification standard:

Works under general supervision, either individually or in a team environment performing a variety of tasks requiring knowledge of standardised practices and procedures for the work area and requiring skills obtained through training and experience;

OR

Provides routine assistance to technical and/or professional and/or other staff requiring a limited level of technical knowledge and skill;

OR

Operates vehicles/plant requiring skills obtained through training and experience;

OR

Under limited supervision, supervises staff engaged on a variety of routine manual tasks. Supervision will include the assignment and quality control of work.
Exercises judgment in deciding how tasks are to be performed.
Exercises good communication and interpersonal skills.

	Salary per annum \$
Level 5	35792

Level 5 classification standard:

Works under general supervision either individually or in a team environment, performing trade work or work requiring an equivalent level of skills and knowledge;

OR

Under general supervision, operates vehicles/equipment requiring a high level of operational skill;

OR

Under limited supervision, supervises a number of staff engaged on a variety of routine manual tasks; or a number of work teams.

Exercises independent judgment in deciding how tasks are to be performed and have authority to adapt work methods in dealing with non-standard problems.

Applies quality control techniques to their work and the work of other staff.

Exercises good communication and interpersonal skills.

	Salary per annum
	\$
Level 6	37035

Level 6 classification standard:

Under general supervision either individually or in a team environment, performs trade work requiring a high level of trade skill, employs initiative and judgment above that undertaken at the basic trade level;

OR

Under limited direction, operates vehicles/equipment requiring an advanced level of skill;

OR

Under limited supervision, supervises, plans and co-ordinates the work of small work teams or controls the operations of an organisational element of a program which undertakes predominantly a variety of manual tasks.

A person in a supervisory role at this level could be expected to exercise initiative and judgement in solving day to day operational problems which may include:

- estimating and ordering
- work prioritising
- staffing control and training
- maintenance of records and basic reporting.

	Salary per annum
	\$
Level 7	39505

Level 7 classification standard:

Under limited supervision, either individually or in a team environment undertakes special class trade work, employs an independent approach and a high degree of initiative. These tasks may encompass the provision of trade and equivalent level guidance and assistance to other members of a work team;

OR

Under administrative supervision, takes charge of an occupational group of staff engaged in a wide range of activities normally within a work stream and is responsible for a range of functions which may include:

- implementation of quality control
- training and/or teaching
- staff recruitment
- estimation of costs
- preparation of orders
- setting of and review of procedures;

OR

A person at this level in a supervisory role could be expected to exercise a high degree of initiative and judgment in solving day to day problems which may include:

- staff training and/or teaching
- estimating and ordering
- work prioritising
- overseeing records maintenance and preparation of minor reports;

OR

As a specialist make recommendations and/or implement alternative methods of approach to complex operational problems.

	Salary per annum
	\$
Level 8	42036

Level 8 classification standard:

Under limited supervision, either individually or in a team environment, supervises a large group of trades and/or non-trades staff in more than one field employed on a varied range of more complex operational equipment or projects;

OR

As an advanced engineering tradesperson under limited supervision, performs work beyond the special class tradesperson involving intricate systems and designs;

OR

Under administrative supervision, exercises direct and indirect control over a large group of staff, which may include subordinate supervisory staff, undertaking a varied range of work within a stream.

A person at this level in a supervisory role would be expected to exercise a high degree of initiative, judgment and flexibility in solving complex trade or operational related problems which may include:

- co-ordination of resources
- oversight of training
- estimation of costs
- arranging recruitment
- oversight safety measures
- review work methods and oversee quality control;

OR

As an inspector carry out inspections of valuable assets and ensure they meet quality standards, approve completed jobs;

OR

As an advanced engineering tradesperson make recommendations and/or implement alternative methods of approach to complex operational problems using a high level of initiative.

	Salary per annum
	\$
Level 9	44478

Level 9 classification standard:

Under limited direction, controls three or more significant groups of trades staff, or staff with an equivalent level of skills and knowledge, engaged in specialised activities which may include subordinate supervisory staff;

OR

Under administrative supervision, controls a major service operation which may include a large number of trades, non-trades and/or associated staff;

OR

Under limited supervision, oversight and conduct trade training courses in theory and practice which may include the supervision of instructors.

A person at this level is expected to exercise a high degree of initiative, independent judgment and leadership in solving complex operational problems.

	Salary per annum
	\$
Level 10	48190

Level 10 classification standard:

Under administrative supervision, controls a large multi-disciplined group or several small multi-disciplined groups of trades staff, or staff with an equivalent level of skills and knowledge, engaged in specialised activities which may include subordinate supervisory staff;

OR

Under administrative supervision, supervise construction and/or repairs and maintenance activities undertaken by employees or under contract;

OR

Under administrative supervision, carry out inspection, certification and oversee installation of building engineering systems.

A person at this level is expected to demonstrate a high degree of initiative, independent judgment and leadership in the management of a complex operational program or business unit.

(c) Part-time and Casual Employees

- (i) Employees are to be paid in the same ratio that their ordinary weekly hours bear to the ordinary weekly hours of equivalent full-time employees.
- (ii) Casual employees are to be paid a loading of 20 percent to compensate for having no entitlement to payment for annual leave, sick leave and holidays not worked.
- (iii) A casual employee is to be engaged by the hour with a minimum payment of three hours for each day worked.

PROVIDED that a casual employee's terms of engagement are to be by the hour with a minimum payment of three hours for each day worked. Where work practices are such that it is considered inappropriate to apply the conditions stipulated by this proviso, such conditions may be varied by agreement between the employee organisation and employer.

(d) Translation

Employees occupying positions covered by the Tourism Tasmania Staff Award as at 7 March 1996, whose positions require them to carry out work which can be defined in accordance with the classifications contained in this award, are to have their positions translated to the appropriate classification and are to be translated to the appropriate salary point as set out in Annexure B.

9. CONDITIONS OF EMPLOYMENT

(a) The following allowances and conditions are to be in accordance with the General Conditions of Employment Award:

- (i) First Aid Certificate Allowance;
- (ii) Location Allowances (excepting Mainland Allowance);
- (iii) Meal Allowances;
- (iv) Recreation Leave Allowance;
- (v) Training Courses, Conference Allowance;
- (vi) Travel Allowances;
- (vii) Saturday, Sunday and Holiday Work;
- (viii) Overtime [except paragraph 8(e)(i) and subclause 8(g)];
- (ix) Clothing Allowances; and
- (x) Supported Wage System; and
- (xi) State Service Accumulated Leave Scheme

(b) The following allowances and conditions are to be in accordance with the undermentioned Tasmanian State Service Regulations as determined and amended from time to time by the Governor:
Regulation:

- 8 Authority to Pay
- 10 Deductions from Salaries
- 14 Definitions
- 15 Displacement Allowance
- 15a Special Accommodation Allowance
- 16 Relocation Expenses
- 17 Allowances to Cover Expenses Incurred in the Sale and Purchase of Property
- 18 Depreciation Allowances
- 19 Cost of Conveyance of Certain Tourism Tasmania Employees
- 30 Application for Leave
- 31 Leave in Advance
- 32 Leave Without Pay
- 33 State Service Holidays
- 34 Leave on Resignation or Retirement
- 36 Period of Recreation Leave
- 37 Recreation Leave for Certain Employees
- 40 Head of Agency to Enable Recreation Leave to be Taken
- 46 Additional Sick Leave for Ex-servicemen or Women
- 48 Maternity Leave
- 49 Adoption Leave
- 50 Special Leave for Participating in Sporting and Cultural Events
- 51 Leave on Account of Special Circumstances
- 52 Leave for Jury Service
- 53 Travelling Time and Expense While Stationed Away from Headquarters
- 55 Absence of Employees Due to Injury Sustained, or Illness Contracted, in the Course of Employment
- 63 Study Assistance
- 86 Travelling by Aircraft

Where there is an inconsistency between the 'second tier' agreement T1233 of 1988 and provisions contained in this award or the General Conditions of Employment Award the provisions of the 'second tier' agreement are to prevail.

10. DEFENCE FORCE LEAVE

Defence Force Leave entitlements for all categories of employment are to be in accordance with Tasmanian State Service Regulation 47.

11. GRIEVANCE PROCEDURE

It is the objective of this procedure to ensure that the employee is to be dealt with in a fair and equitable way and that grievances are resolved through negotiation and discussion between the parties.

- (a) Where an employee feels aggrieved he/she is to in the first instance attempt to resolve the grievance with his/her immediate supervisor. The union's workplace representative may be present if desired by either party.
- (b) If after consultation with the supervisor the employee still feels aggrieved the matter is to be referred to the manager of the section concerned. The union's workplace representative may be present if desired by either party.
- (c) If the grievance remains unresolved then the matter is to be referred to the Head of Agency, or his/her representative, and an official of the employee organisation.
- (d) It is agreed between the parties to this award that the procedures outlined in subclauses (a) to (c) are to take place over a period not exceeding seven days.
- (e) If after consultations between the Head of Agency or his/her representative, the employee and the union official, the grievance remains unresolved, the matter depending on its nature may be referred to the Tasmanian Industrial Commission.
- (f) Until the grievance is determined, work is to continue normally in accordance with the custom and practice existing before the grievance arose, while discussions take place.
- (g) No party is to be prejudiced as to the final settlement by the continuance of work.
- (h) Health and safety issues are exempted from subclause (f).

12. HIGHER AND MORE RESPONSIBLE DUTIES ALLOWANCE

(a) Higher Duties Allowance

Higher duties allowances are payable as follows:

(i) An employee classified up to and including:

Level 7 for Administrative and Clerical Employees; and
Level 10 for Operational Employees

is entitled to a higher duties allowance only when the employee acts in and performs the duties of a higher-classified position for a minimum period of 10 consecutive working days and the acting position is two or more levels higher than the employee's substantive classification.

(ii) An employee classified at:

Level 8 for Administrative and Clerical Employees

and above is entitled to a higher duties allowance only when the employee acts in and performs the duties of a higher-classified position for a minimum period of 20 consecutive working days and the acting position is two or more levels higher than the employee's substantive classification.

(iii) An employee substantively classified between:

Level 1 and Level 11 for Administrative and Clerical Employees; and
Level 1 and Level 10 for Operational Employees

is entitled to a higher duties allowance if required to act in and perform the duties of a position classified one Level higher than the employee's substantive classification and where the acting appointment is for a period of 40 consecutive working days or more.

(b) More Responsible Duties Allowance

(i) Where, for a period of five days or more an employee is required to perform more responsible duties which are not capable of being paid for in subclause (a) above, the employer is to authorise a more responsible duties allowance.

The allowance is to be established by reference to the value of the more responsible duties involved.

(ii) For the purpose of this subclause reference to employee does not include temporary or casual employees.

(c) Effect of Leave Periods

Where an employee receiving an allowance under subclauses (a) and (b) above proceeds on approved leave, sick leave or leave in lieu of overtime, the employee is to continue to receive that allowance provided that the duties continue after the period of such leave.

(d) Overtime

Payment for overtime is to be at the classification rate inclusive of the allowance provided in subclauses (a) or (b) above.

13. HOLIDAYS

(a) Public Holidays

All employees, other than shift workers, casual employees and part-time employees engaged to work less than 15 hours per week are entitled to the following holidays without deduction from their fortnightly pays:

Christmas Day, Boxing Day, New Year's Day, Australia Day, Cup Day (half day), Hobart Regatta Day (south of Oatlands), Eight Hour Day, Good Friday, Easter Monday, Easter Tuesday, Anzac Day, Queens Birthday, Show Day and Recreation Day (where Hobart Regatta Day is not observed), or such other day as may be observed in the locality in lieu of any of the aforementioned holidays.

PROVIDED that if any other day be, by State Act of Parliament or State proclamation, substituted for any of the abovementioned holidays, the day so substituted is to be observed.

- (b) **'Show Day'** means not more than one local show day per calendar year to be observed on an ordinary working day, other than a Saturday or Sunday, in the city, town or district in which the employee is employed; or such other day which, in the absence of such local show day, is agreed on by the employee and the employer.

PROVIDED that the days referred to in subclauses (a) and (b) above are to be taken by employees on days recognised as public holidays in the district or locality in which they are employed; and

PROVIDED FURTHER that where any district or locality recognises less than 12.5 public holidays in a calendar year, employees employed at the travel centre in that district or locality are to have added to their annual leave entitlement the balance, in days or half days, between the total number of public holidays recognised in that district or locality in any one calendar year and the total of 12.5 paid public holidays per calendar year (11.5 paid public holidays in a calendar year in which Anzac Day is observed on a Saturday or Sunday) to which they are entitled under this award.

14. HOURS OF WORK

- (a) The ordinary hours of work are to be 36.75 hours in each week to be worked between the hours of 7.00 am and 7.00 pm Monday to Friday inclusive.

PROVIDED that the ordinary hours of work and the normal spread of hours may be restructured as to all or a section of the employees by mutual agreement between the employer, the majority of employees affected and the employee organisation.

PROVIDED FURTHER that in negotiations concerning restructured hours of work the parties are to have regard for the following:

- (i) maximum efficiency of operations within the Agency;
 - (ii) retention of normal productivity levels within the Agency; and
 - (iii) flexibility in any agreement to enable rostered day/s off to be taken on days which may include, but are not necessarily limited to, Monday or Friday and may not necessarily be limited to the same day/s each month.
- (b) An unpaid meal break of at least 30 minutes but not exceeding 60 minutes is to be taken no more than five hours after the commencement of the period of work.

Notwithstanding the above, where agreement is reached between the employer and employee organisation on the restructuring of hours of work the following is to apply:

- (i) no more than 10 hours are to be worked in any one day at ordinary rates of pay and no more than one meal break is to be observed; and
- (ii) no more than 152 hours are to be worked in any two consecutive fortnightly pay periods.

15. LEAVE OF ABSENCE IN CASE OF SICKNESS

- (a) The sick leave entitlements for employees and term appointees are to be in accordance with Tasmanian State Service Regulation 41.
- (b) The sick leave entitlements for temporary employees are to be in accordance with Tasmanian State Service Regulation 42.

16. MAINLAND ALLOWANCE

- (a) Where an employee recruited in this State is transferred from this State in the course of his/her duties to a headquarters situated on the mainland of Australia and is permanently stationed thereat, the following allowances are to apply:

- (i) Accommodation Allowance
(Based on Median Rental Cost - REIA Index)

	\$ pa
Sydney	8850.42
Melbourne	1128.44
Canberra	2350.68
Adelaide	Nil
Brisbane	2267.49

- (ii) Excess Costs Allowance

Irrespective of the mainland headquarters concerned, an employee is to be paid an excess costs allowance:

- (1) in the case of an employee with dependants residing with him/her, at a rate of \$750 per annum;
- (2) in the case of an employee without dependants, at a rate of \$375 per annum.

PROVIDED that an employee with dependants residing with him/her is to be regarded as an employee without dependants if his/her spouse, of entitlement arising from his/her own employment, is in receipt of a mainland allowance.

- (b) If in the opinion of the controlling authority, by reason of length of residency of an employee at a mainland headquarters, it is considered that the payment of the allowances specified in paragraphs (a)(i) or (a)(ii) is no longer justified, four months' notice of intention to withdraw payment of the allowances may be given.

PROVIDED that in the event of a dispute relating thereto the matter is to be referred to the Tasmanian Industrial Commission for determination.

- (c) Review of Accommodation Allowance

The allowance specified in paragraph (i) of subclause (a) hereof is to be the subject of annual review having regard to the 'Annual Review of Major Residential Property Markets in Australia' (Median Rental Costs) published by the Real Estate Institute of Australia.

17. NOTICE OF TERMINATION

The employer and all persons employed who are subject to the provisions of this award are to have the right to terminate employment. Such termination, unless otherwise specified in an instrument of appointment or by agreement between the parties is to be effected by two weeks' notice given by either party at any time during the period Monday to Friday or by the payment or forfeiture of a fortnights pay, as the case may be.

This is not to affect the right of the employer to dismiss employees without notice for misconduct

PROVIDED that in such cases the employee is to be paid up to the time of the dismissal only.

18. OVERTIME

(a) Employees classified up to and including:

Level 6 for Administrative and Clerical Employees; and
Level 10 for Operational Employees,

are entitled to payment for authorised overtime worked at the direction of the employer. Such payment is to be calculated by reference to the employees' actual salary as prescribed in this award and the overtime rates as prescribed in the General Conditions of Employment Award.

(b) Employees classified above these levels are not entitled to receive payment for overtime worked.

19. SALARY INCREMENTS

(a) An employee occupying a position covered by a classification containing a salary scale providing for annual increments is entitled, at the completion of each period of 12 months continuous service in that position, to receive the relevant annual increment until the maximum salary for that classification is reached.

(b) An employee is not entitled to an annual increment unless, in the opinion of the employer, the employee's conduct, diligence and efficiency have been satisfactory during the 12 month period preceding the date upon which the increment falls due.

20. SUSPENSION

Where the Head of Agency forms the view that an employee or term appointee may be guilty of misconduct he/she may suspend that person with or without pay.



ANNEXURE

**TRANSLATION TO ADMINISTRATIVE AND CLERICAL STREAM
ADMINISTRATIVE AND CLERICAL EMPLOYEES**

	COLUMN 1		COLUMN 2		
	Existing		New		
<i>Line 1</i>	Class I	18 years	15068	17673	Level 1
<i>Line 2</i>		19 year	17338	17673	
<i>Line 3</i>				18875	
<i>Line 4</i>			20 year	19196	20077
<i>Line 5</i>			21 years	20641	21279
<i>Line 6</i>			2nd year	21153	21279
<i>Line 7</i>			3rd year	21659	22480
<i>Line 8</i>		4th year	22180	22480	
<i>Line 9</i>		5th year	22720	23681	
<i>Line 10</i>		6th year	23241	23681	
<i>Line 11</i>		7th year	23820	24883	
<i>Line 12</i>	Class II		24674	24883	
<i>Line 13</i>			25415	26085	Level 3
<i>Line 14</i>			26144	26686	
<i>Line 15</i>	Class III		26879	27286	
<i>Line 16</i>			27612	27887	
<i>Line 17</i>	Class IV		28334	28488	
<i>Line 18</i>			29066	29713	Level 4
<i>Line 19</i>	Class V		29653	29713	
<i>Line 20</i>			30313	30331	
<i>Line 21</i>	Class VI		30941	30951	
<i>Line 22</i>				31570	
<i>Line 23</i>			31573	32179	
<i>Line 24</i>		32201	33428	Level 5	
<i>Line 25</i>	Class VII		32837		33428
<i>Line 26</i>			33631		34047
<i>Line 27</i>			34416		34665
<i>Line 28</i>	Class VIII		35202	35904	Level 6
<i>Line 29</i>			35838	35904	
<i>Line 30</i>				36523	
<i>Line 31</i>			36628	37142	
<i>Line 32</i>	Class IX		37256	38380	Level 7
<i>Line 33</i>			38054	38380	
<i>Line 34</i>			38837	39617	
<i>Line 35</i>	Class X		39625	40857	
<i>Line 36</i>			40414	40857	

<i>Line 37</i>	Class XI	41282	43332	Level 8
<i>Line 38</i>		42153	43332	
<i>Line 39</i>	Class XII	43016	43332	
<i>Line 40</i>		43883	44570	
<i>Line 41</i>	Class XIII	45630	45808	
<i>Line 42</i>	Class XIV	47359	48280	Level 9
<i>Line 43</i>	Class XV	49256	49521	
<i>Line 44</i>	Class XVI	51153	51998	Level 10
<i>Line 45</i>	Class XVII	52867	54475	Level 11
<i>Line 46</i>	Class XVIII	54733	58189	Level 12
<i>Line 47</i>	Class XIX	56884	58189	
<i>Line 48</i>	Class XX	59031*		
<i>Line 49</i>	Class XXI	61183*		

EXPLANATORY NOTES

Translation is to the next highest salary point within the stream. For example, an existing Class VI 3rd increment (line 24) translates to a new Level 5 1st increment (line 24).

An employee who has completed 12 months service on the maximum salary rate prescribed for Level 1 is to progress to Level 2, subject to the employer being satisfied that the employee's overall performance has justified the progression.

Persons employed in positions on lines 12, 17, 21 and 23 translate to the next highest salary point. Such persons are to progress to the top of the new level, ie in the case of line 12 - new Level 3; line 17 - new Level 4; lines 21 and 23 - new Level 5 respectively.

*Salary maintenance is to apply to existing classifications highlighted with asterisk, ie lines 48 and 49.

TRAVEL CONSULTANTS

	COLUMN 1		COLUMN 2		
	Existing		New		
<i>Line 1</i>	Travel Consultant Level 2				Level 1
<i>Line 2</i>	19 years	17338	18875	2nd year	
<i>Line 3</i>	20 years	19196	20077	3rd year	
<i>Line 4</i>	21 years	20641	21279	4th year	
<i>Line 5</i>	2nd year	21659	22480	1st year	Level 2
<i>Line 6</i>	3rd year	22720	24883	3rd year	
<i>Line 7</i>	Travel Consultant Level 1				Level 3
<i>Line 8</i>	1st year	25415	26686	2nd year	
<i>Line 9</i>	2nd year	27612	28488	5th year	
<i>Line 10</i>	Senior Travel Consultant				Level 4
<i>Line 11</i>	1st year	29066	30951	3rd year	
<i>Line 12</i>	2nd year	30313	32179	5th year	
<i>Line 13</i>	Supervising Travel Consultant				Level 5
<i>Line 14</i>	1st year	31573	33428	1st year	
<i>Line 15</i>	2nd year	32201	34665	3rd year	

EXPLANATORY NOTES

Translation is to the next highest salary point within the stream. For example, an existing Travel Consultant Level 1 1st year (line 8) translates to a new Level 3 2nd year (line 8).

An employee who has completed 12 months service on the maximum salary rate prescribed for Level 1 is to progress to Level 2, subject to the employer being satisfied that the employee's overall performance has justified the progression.

KEYBOARD EMPLOYEES AND OFFICE ASSISTANTS

		COLUMN 1			COLUMN 2	
		Existing			New	
		Keyboard Employees and Office Assistants	Clerical and Library Assistants			
<i>Line 1</i>					17673	Level 1
<i>Line 2</i>					18875	
<i>Line 3</i>			Class I	1st year 19484	20077	
<i>Line 4</i>				2nd year 19740	20077	
<i>Line 5</i>				3rd year 20004	20077	
<i>Line 6</i>	Class I	Grade 1		4th year 20261	21279	
<i>Line 7</i>		Grade 2	Class II	1st year 20517	21279	
<i>Line 8</i>		Grade 3		2nd year 20772	21279	
<i>Line 9</i>	Class II	Grade 1		3rd year 21023	21279	
<i>Line 10</i>		Grade 2	Class III	1st year 21276	21279	
<i>Line 11</i>		Grade 3		2nd year 21527	22480	Level 2
<i>Line 12</i>		Grade 4		3rd year 21782	22480	
<i>Line 13</i>	Class III	Grade 1	Class IV	1st year 22055	22480	
<i>Line 14</i>		Grade 2		2nd year 22317	22480	
<i>Line 15</i>		Grade 3		3rd year 22582	23681	
<i>Line 16</i>		Grade 4	Class V	1st year 22851	23681	
<i>Line 17</i>	Class IV			2nd year 23111	23681	
<i>Line 18</i>	Class V	Grade 1	Class VI	1st year 23389	23681	
<i>Line 19</i>				2nd year 23674	23681	
<i>Line 20</i>		Grade 2	Class VII	1st year 23974	24883	
<i>Line 21</i>				2nd year 24399	24883	
<i>Line 22</i>			Class VIII	1st year 24826	24883	
<i>Line 23</i>	Class VI	Grade 1		2nd year 25261	26085	Level 3
<i>Line 24</i>		Grade 2	Class IX	1st year 25897	26085	
<i>Line 25</i>	Class VII	Grade 1		2nd year 26296	26686	
<i>Line 26</i>		Grade 2	Class X	1st year 26702	27286	
<i>Line 27</i>	Class VIII			2nd year 27104	27286	
<i>Line 28</i>					27887	
<i>Line 29</i>					28488	

EXPLANATORY NOTES

Translation is to the next highest salary point within the stream. For example, an existing Keyboard Employee or Office Assistant Class IV (line 17) translates to the new Level 2, 2nd year of service (line 17).

An employee who has completed 12 months service on the maximum salary rate prescribed for Level 1 is to progress to Level 2, subject to the employer being satisfied that the employee's overall performance has justified the progression.

Persons employed as Clerical or Library Assistants Class VIII 1st year of service (line 22) translate to the next highest salary point. Such persons paid in accordance with line 22 are to progress to the top to the new Level 3.

**TRANSLATION TO OPERATIONAL STREAM
STORES OFFICERS**

- a) Employees occupying positions classified as Stores Officer 1st year of service, Stores Officer 2nd year of service or Stores Officer 3rd year of service prior to 7 March 1996 being paid a salary of \$21254, \$21490 or \$21716 per annum respectively are to translate to Level 2 at a salary of \$21841 per annum.
- b) Employees occupying positions classified as Stores Officer 4th year of service and thereafter prior to 7 March, 1996 being paid a salary of \$21957 per annum respectively are to translate to Level 3 at a salary of \$22480 per annum.