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INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES**PRACTICE DIRECTION No. 13**

Procedures for Review of Awards under s 19 of the *Industrial Relations Act* 1996

(Pursuant to Rule 89 of the Industrial Relations Commission Rules 1996)

1. The purposes of this Practice Direction are:
 - (a) to simplify and facilitate procedures for the review of awards under s 19 of the *Industrial Relations Act* 1996;
 - (b) to improve the prospects of parties to the award ("the parties") resolving any differences they may have in such matters by requiring them to define all issues between them before the callover of such matters; and
 - (c) to expedite the review of awards pursuant to s 19.
2. This Practice Direction shall come into force 14 days after publication in the Industrial Gazette.
3. The Industrial Registrar, in respect of each current award which has not been the subject of award review within the period specified in s 19(1) of the Act, shall cause a Notice of Award Review to be issued to all parties listed in the records of the Commission as having an interest in that award.
4. Each such award shall be the subject of callover before the Commission or the Registrar on a date to be fixed by the Commission approximately five weeks after the issue of the Notice of Award Review.
5. Not later than one week before the date of the callover, any party wishing to contend that an award should be varied pursuant to s 19 of the Act shall:
 - (a) file and serve a list of all changes proposed to the award (including whether the award should be rescinded because it is obsolete) either specifically or, in the case of substantial changes, by reference to the subject areas of change; and
 - (b) file a notice of appearance in accordance with the Rules.
6. Any other party wishing to appear in the s 19 proceedings shall also file a notice of appearance no later than one week before the date of the callover.
7. The parties shall confer on the changes proposed prior to the date of callover and be in a position to advise the Commission (or the Registrar) at the callover of their respective positions in respect of the changes proposed.

Dated: 15 September 2003

F. L. Wright, J.
President.

AUSTRALIAN JOCKEY CLUB - ELECTRICAL AND PLUMBING ENTERPRISE AWARD 2002

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Employers First

(No. IRC 2265 of 2002)

Before Mr Deputy President Sams

20 May 2003

REVIEWED AWARD

1. Title

This Award shall be referred to as the Australian Jockey Club - Electrical and Plumbing Enterprise Award 2002.

2. Arrangement

Clause No.	Subject Matter
1.	Title
2.	Arrangement
3.	Statement of Intent
4.	Application and Scope of Award
5.	Parties Bound
6.	Single Bargaining Unit
7.	No Reductions in Standards
8.	Rates of Pay
9.	Rostered Day Off - Banking
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12.	Hours of Work
13.	Occupational, Health and Safety
14.	Industrial Grievance Procedure
15.	No Extra Claims
16.	Negotiating the next Award
17.	Job Descriptions
18.	Redundancy
19.	Part-time employment
20.	Anti-Discrimination
21.	Area, Incidence and Duration

PART B

MONETARY RATES

Table 1 - Weekly Aggregate Wage for Plumbers

Table 2 - Additional Allowance for Plumbers

Table 3 - Weekly Aggregate Wage for Electricians

Table 4 - Additional Allowance for Electricians

3. Statement of Intent

- (i) This Award has been designed to facilitate the smooth establishment and ongoing organisational development of the Australian Jockey Club ("AJC") at Royal Randwick and Warwick Farm Racecourses.
- (ii) The parties are committed to:
 - (a) Efficiencies and productivity being constantly reviewed and improved and thereby allowing the AJC to compete against other racing, gaming and wagering organisations on a cost-effective basis.
 - (b) The creation and maintenance of a harmonious employee relations environment which is typified by consultation and participation which supports the AJC's vision.
 - (c) The provision of a framework within which the AJC can generate interesting and fulfilling work and develop systems which allow employees to reach their full potential while simultaneously maximising the efficiency and productivity of the AJC.
 - (d) The creation of a co-operative working environment, where quality and pride of working for the AJC are fostered and that any issues of demarcation are eliminated.

4. Application and Scope of the Award

- (i) This Award shall apply to the employees of the AJC at Royal Randwick and Warwick Farm Racecourses whose terms and conditions are covered by the following:

Electricians &c. (State) Award published 29 July 2001 (325 I.G. 808);

Building Employees Mixed Industries (State) Award published 16 November 2001 (329 I.G. 577) insofar as it applies to members of the NSW Plumbers and Gasfitters Employees Union.
- (ii) This Award shall be read and interpreted wholly in conjunction with the relevant Award (s), relating to a group or individual, nominated in Clause 4 (i), above, in so far as those provisions relate to the parties referred to in Clause 5 - Parties Bound - of this Award. Where any inconsistencies between this Award and the relevant awards occur, this Award shall prevail.

5. Parties Bound

The parties to this Award are:

- (i) The Australian Jockey Club;
- (ii) The Electrical Trade Union of Australia - New South Wales Branch; and
- (iii) The New South Wales Plumbers and Gasfitters Employees' Union.

6. Single Bargaining Unit

For the purpose of negotiating the agreement a single bargaining unit was established. The Award was arrived at by the unions, nominated as party to the Award, working co-operatively within the single bargaining unit.

7. No Reductions in Standards

This Award shall not operate so as to cause a current employee as at the date of operation of this Award to suffer a reduction in ordinary time earnings or standards relating to conditions of employment provided by any award, award or over award arrangements in operation at the time of the entering into of the Award.

8. Rates of Pay

- (i) The rates of pay for employees covered under this Award are set out in Table 1, Table 2, Table 3 and Table 4 of Part B of this Award.
- (ii) Employees whose terms and conditions of employment are covered by the Building Employees Mixed Enterprise (State) Award insofar as it applies to members of the NSW Plumbers and Gasfitters Employees Union shall be paid the weekly wage as set out in Table 1 of Part B of this Award.
- (iii) The weekly wage set out in Table 1 of Part B of this Award includes compensation for:
 - ordinary hours
 - over-award payments
 - industry allowance
 - license allowance electronic funds transfer
 - tool allowance
 - computing quantities.
- (iv) Employees whose terms and conditions of employment are covered by the Building Employees Mixed Enterprise (State) Award insofar as it applies to members of the NSW Plumbers and Gasfitters Employees Union shall and where appropriate, in addition to the weekly wage set out in Table 1 of Part B, be paid a first aid allowance and clothing allowance as set out in Table 2 of Part B of this Award.
- (v) Employees whose terms and conditions of employment are covered by the Electricians (State) Award shall be paid the weekly wage as set out in Table 3 of Part B of this Award.
- (vi) The weekly wage set out in Table 3 of Part B of this Award includes compensation for:
 - ordinary hours
 - over-award payments
 - industry allowance
 - license allowance
 - tool allowance
 - electronic funds transfer
 - plant operators allowance.
- (vii) Employees whose terms and conditions of employment are covered by the Electricians (State) Award shall, and where appropriate, in addition to the weekly wage set out in Table 3 of Part B, be paid a first aid allowance and clothing allowance as set out in Table 4 of Part B of this Award.
- (viii) An employee may elect to sacrifice part of the employees salary to be an additional superannuation contribution above the rate prescribed by the *Superannuation Guarantee Charge Act 1992*.
- (ix) Where salary sacrifice contributions are to be made on behalf of an employee to the AJC Superannuation Plan, the wage rates prescribed by Table 1 of Part B shall (in respect of such an employee) include a component being the salary sacrifice contribution. That is, that part of the wage rate representing the salary sacrifice contribution chosen by the employee, shall be paid as a contribution by the employer direct to the AJC Superannuation Plan. As a consequence, the employees taxable salary shall equal the relevant wage rate less the salary sacrifice contribution (if any). For all other purposes the relevant wage rate applicable to this award shall apply.
- (x) Wages may be paid by electronic funds transfer unless otherwise agreed by the AJC. Provided that by agreement between an employer and the majority of employees covered by this award, wages may be paid fortnightly. Provided further that from July 2002 the AJC may elect to pay fortnightly by giving one months notice.

9. Rostered Day Off - Banking

No more than five days are to be banked as determined by the relevant Manager. These days will be taken at times of mutual agreement. If a dispute arises on the taking of the leave then the dispute procedure is to be followed.

10. Public Holiday Work

Existing employees currently receiving a day in lieu for any work performed on a public holiday as prescribed by the Award may if agreed, as an alternative, be paid at the rate of double time and a half in addition to the ordinary rate, instead of receiving such day in lieu. This provision shall operate so as to not disadvantage existing employees covered by this agreement.

11. Skills, Utilisation, Training and Development

A. Skills

- (i) Training and development shall be subject to the AJC's skill requirements. It is the aim of the parties to this Award that all employees shall be provided with opportunities for training and development, encouraging the formation of a flexible, highly skilled and committed workforce, enjoying maximum job satisfaction.
- (ii) Employees will move between tasks and functions within their appointed classifications and skills and competency levels in order to apply and develop their skills to meet AJC objectives. In moving employees between tasks and functions and in regrouping tasks and functions the AJC will consult with the employees and consider:
 - (a) the career path and development needs of individuals;
 - (b) the efficient organisation of work;
 - (c) any personal and geographic considerations.
- (iii) The process described in sub-clause (ii) above shall not include those functions or tasks where the safety of an employee learning "on the job" cannot be guaranteed by the AJC or where an essential requirement of a formal qualification limits the process.
- (iv) Processes will be adopted to facilitate the skills enhancement and career development opportunities of employees whilst promoting aims and objectives of the AJC.
- (v) The provision of training shall be undertaken in line with the AJC's EEO policy and procedures.

B. Training

- (i) The parties confirm a commitment to training and skill development for employees in accordance with the needs of the AJC. Training may be conducted on the recommendation of a supervisor to the Chief Executive or his delegate.
- (ii) The types of training needs which shall be met include:
 - (a) training required to increase the level of competency of the employees;
 - (b) training required through the creation of new tasks, restructuring of existing tasks and/or multi-skilling;
 - (c) training required to assist employees to pursue, where possible, their preferred career paths and to improve their opportunities for career advancement;

12. Hours of Work

The parties are fully committed to explore the hours of work provision for all employees covered by this Award.

The parties recognise that the AJC operates in the context of its normal operations, over Monday - Friday but also quite regularly on Saturday as a result of race meetings.

The parties recognise that in order to provide for an internationally competitive racing industry, the parties will need to explore a full range of options in relation to working hours. To this extent the SBU agrees to negotiate and to introduce suitable flexible working arrangements provided such arrangements are agreed between the AJC, the workers affected and their Union or Unions.

These discussions may include, but are not necessarily limited to issues such as annualised salaries, ten hour shifts, payments provisions for regular Saturday and Sunday work with the inclusion of weekend work within the context of normal working hours.

(i) Spread of Hours/Staggered Work Hours

The spread of ordinary hours shall be 7.00am to 6.00pm with a limit of 8 hours at ordinary time to be worked on any one day. A week's notice shall be given to change an employee's rostered hours, or a lesser period where such change is by mutual agreement with an individual employee. Such change shall be a minimum of 14 days in duration. The AJC undertakes to consider personal or geographic circumstances of individual employees in introducing any change of roster.

13. Occupational Health and Safety

- (i) The AJC prides itself on quality occupational health and safety standards. It is recognised that the benefits to be gained from effective health and safety programs are significant both in human and economic terms.
- (ii) The AJC is responsible for taking all reasonable and practical action to achieve and maintain a performance level which safeguards the health and safety of all employees in accordance with the *Occupational Health and Safety Act 2000*.
- (iii) All employees are to be involved in safety matters and hence, to contribute to the reduction of hazards. Employees are to:
 - (a) identify and reduce the risk associated with all types of work-related events that may, produce injury or illness; or
 - (b) identify, measure and control to safe levels any physical agents in the workplace capable of causing ill health; and
 - (c) promote the good health and welfare of employees;
 - (d) report any perceived hazard to the immediate supervisor;
 - (e) report any work related injury, no matter how minor to their supervisor
 - (f) wear any safety clothing, footwear, equipment issued and specified for the job.
- (iv) The AJCs management is committed to the continuous monitoring and upgrading of its occupational health and safety policy to ensure the highest standards are met. The AJC shall where appropriate:
 - (a) provide information, instructions and training of employees to increase personal understanding of safe work practices, workplace hazards and principles of hazard control; and
 - (b) maintain a close relationship with employees and regulatory authorities in the development of standards and future strategies.

- (v) The occupational health and safety committee shall be convened subject to the provisions of the regulations of the *Occupational Health and Safety Act 2000* and shall meet at intervals not less frequent than specified in the regulations.

14. Industrial Grievance Procedure

- (a) The aim of this procedure is to ensure that, during the term of this Award, industrial grievances or disputes are prevented or resolved as quickly as possible at the level they occur in the workplace. At any time during the procedure an employee may elect to be represented by an official of their union. During the life of the agreement there shall be no disruption to or cessation of normal work other than in relation to bona fide safety issues.
- (b) Where a dispute or grievance arises, or is considered likely to occur the steps below are to be followed. In order to permit the peaceful resolution of grievances, the status quo shall remain and work shall continue as normal while the industrial grievance procedure is being followed, (status quo shall mean the situation existing immediately prior to the dispute or the matter giving rise to the dispute).
- (c) Work arrangements and conditions before a dispute arising shall remain whilst the dispute procedure is being followed by the employer, employees and their union representatives.
- (d) Providing the conditions of (c) apply no strikes, bans or work limitations shall occur.
- (e) Where a dispute or a grievance arises or is considered likely to occur, the following steps are to be followed:

Step 1.

The matter is discussed between the employee(s) and the immediate supervisor involved. If the matter remains unresolved only then, follow Step 2.

Step 2.

The matter is discussed between the employee, the employees' representative if the employee so wishes and the supervisor involved. If the matter remains unresolved, only then, follow Step 3.

Step 3.

The matter is discussed between the employee, the employee's representative if the employee so wishes, the supervisor and the departmental manager. If the matter remains unresolved only then, follow Step 4.

Step 4.

The matter is discussed between the departmental manager, the human resources manager and the employee's representative and/or union official if the employee so wishes. If the matter remains unresolved only then, follow Step 5.

Step 5.

The matter is discussed between senior representatives of the AJC and the relevant union if the employee is represented by a union. The parties agree to exhaust the processes of conciliation before considering Step 6. It is also agreed that the parties will not deliberately frustrate or delay these procedures.

Step 6.

The matter may be referred by either party to the Industrial Relations Commission of New South Wales in order for the Commission to exercise its functions under the *Industrial Relations Act* 1996. It is the intention of the parties that this provision meets the criteria pursuant to the *Industrial Relations Act*, 1996.

15. No Extra Claims

The parties undertake that, for the term of this Award, they will not pursue any extra claims.

16. Negotiating the Next Award

- (i) The parties agree to commence negotiations on a new Award no later than 3 months prior to the termination date of this Award and use their best endeavours to complete the negotiations of the new Award before the expiry of this Award.
- (ii) During the 3 months negotiation period, the parties will meet in order to seek agreement/resolution of any issues.

17. Job Descriptions

The union will participate in a positive fashion to develop job descriptions for all positions covered by the SBU agreement.

18. Redundancy Arrangements

Application

- (i) The provisions of this clause shall apply in respect of full time and part time persons employed in the classifications specified by the Awards listed in Clause 4.
- (ii) Notwithstanding anything contained elsewhere in this clause, this clause shall not apply to employees with less than one year's continuous service and the general obligation on the AJC shall be no more than to give such employees an indication of the impending redundancy at the first reasonable opportunity, and to take such steps as may be reasonable to facilitate the obtaining by the employees of suitable alternative employment.
- (iii) Notwithstanding anything contained elsewhere in this clause, this clause shall not apply where employment is terminated as a consequence of conduct that justifies instant dismissal, including malingering, inefficiency or neglect of duty, or in the case of casual employees, apprentices or employees engaged for a specific period of time or for a specified task or tasks or where employment is terminated due to the ordinary and customary turnover of labour.

Introduction of Change

- (iv) Employers duty to notify
 - (a) Where the AJC has made a definite decision to introduce major changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the employer shall notify the employees who may be affected by the proposed changes and the union to which they belong.
 - (b) 'Significant effects' include termination of employment, major changes in the composition, operation or size of the employers workforce or in the skills required, the elimination or diminution of job opportunities, promotion opportunities of job tenure, the alteration of hours of work, the need for retraining or transfer of employees to other work or locations and the restructuring of jobs.

Provided that where the Awards specified in Clause 4 - Application and Scope makes provision for alteration of any of the matters referred to herein, an alteration shall be deemed not to have significant effect.

(v) Employers' Duty to discuss Change

- (a) The AJC shall discuss with the employees affected and the union to which they belong, inter alia, the introduction of the changes referred to in subclause (iv)(a), the effects the changes are likely to have on employees and measures to avert or mitigate the adverse effects of such changes on employees, and shall give prompt consideration to matters raised by the employees and/or the union in relation to the changes.
- (b) The discussion shall commence as early as practicable after a definite decision has been made by the employer to make the changes referred to in the said subclause (iv)(a).
- (c) For the purpose of such discussion, the AJC shall provide to the employees concerned and the union to which they belong all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on employees and any other matters likely to affect employees provided that any employer shall not be required to disclose confidential information the disclosure of which would adversely affect the employer.

Redundancy

(vi) Discussions before terminations

- (a) Where the AJC has made a definite decision that the AJC no longer wishes the job the employee has been doing done by anyone pursuant to paragraph (a) of subclause (iv), Introduction of Change, and that decision may lead to the termination of employment, the AJC shall hold discussions with the employees directly affected and with the union to which they belong.
- (b) The discussions shall take place as soon as practicable after the AJC has made a definite decision which will invoke the provision of paragraph (a) of this subclause and shall cover, inter alia, any reasons for the proposed terminations and measures to mitigate any adverse effects of any termination of the employees concerned.
- (c) For the purposes of the discussion the AJC shall, as soon as practicable, provide to the employees concerned and the union to which they belong, all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected, and the number of employees normally employed and the period over which the terminations are likely to be carried out. Provided that the AJC shall not be required to disclose confidential information the disclosure of which would adversely affect the AJC.

Termination Of Employment

(vii) Notice for Changes in Production, Programme, Organisation or Structure

This subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from 'production', 'programme', 'organisation' or 'structure' in accordance with paragraph (a) of subclause (iv), Introduction of Change.

- (a) In order to terminate the employment of an employee the employer shall give to the employee the following notice:

Period Of Continuous Service	Period Of Notice
Less than 1 year	1 week
1 year and less than 3 years	2 weeks
3 years and less than 5 years	3 weeks

5 years and over	4 weeks
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- (b) In addition to the notice above, employees over 45 years of age at the time of the giving of the notice with not less than two years continuous service, shall be entitled to an additional weeks notice.
- (c) Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

(viii) Notice for Technological Change

This subclause sets out the notice provisions to be applied to terminations by the employer for reasons arising from 'technology' in accordance with subclause (iv)(a).

- (a) In order to terminate the employment of an employee the employer shall give to the employee 3 months notice of termination.
- (b) Payment in lieu of the notice above shall be made if the appropriate notice period is not given. Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof
- (c) The period of notice required by this subclause to be given shall be deemed to be service with the employer for the purposes of the *Long Service Leave Act 1995*, the *Annual Holidays Act 1944*, or any Act amending or replacing either of these Acts.

(ix) Time Off During the Notice Period

- (a) During the period of notice of termination given by the employer, an employee shall be allowed up to one day's time off without loss of pay during each week of notice, to a maximum of five weeks, for the purposes of seeking other employment.
- (b) If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment, the employee shall, at the request of the employer, be required to produce proof of attendance at an interview or the employee shall not receive payment for the time absent.

(x) Employee leaving during the notice period

If the employment of an employee is terminated (other than for misconduct) before the notice period expires, the employee shall be entitled to the same benefits and payments under this clause had the employee remained with the employer until the expiry of such notice. Provided that in such circumstances the employee shall not be entitled to payment in lieu of notice.

(xi) Statement of employment

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee a written statement specifying the period of the employee's employment and the classification of or the type of work performed by the employee.

(xii) Notice of Commonwealth Employment Service

Where a decision has been made to terminate employees, the employer shall notify the Commonwealth Employment Service thereof as soon as possible giving relevant information including the number and categories of the employees likely to be affected and the period over which the terminations are intended to be carried out.

(xiii) Department of Social Security Employment Separation Certificate

The employer shall, upon receipt of a request from an employee whose employment has been terminated, provide to the employee an 'Employment Separation Certification' in the form required by the Department of Social Security.

(xiv) Transfer to Lower Paid Duties

Where an employee is transferred to lower paid duties for reasons set out in subclause (iv)(a), Introduction of Change, the employee shall be entitled to the same period of notice of transfer as the employee would have been entitled to if the employee's employment had been terminated, and the employer may at the employer's option make payment in lieu thereof of an amount equal to the difference between the former ordinary time rate of pay and the new ordinary time rates for the number of weeks of notice still owing.

Severance Pay

(xv) Where an employee is to be terminated pursuant to subclause (vi), Termination of Employment, subject to further order of the Industrial Relations Commission of New South Wales, the employer shall pay the following severance pay in respect of a period of service:

- (a) If an employee is under 45 years of age, the employer shall pay in accordance with the following scale:

Years Of Service	Under 45 Years Of Age Entitlement
Less than 1 year	Nil
1 year and less than 2 years	4 weeks
2 years and less than 3 years	7 weeks
3 years and less than 4 years	10 weeks
4 years and less than 5 years	12 weeks
5 years and less than 6 years	14 weeks
6 years and over	16 weeks

- (b) Where an employee is 45 years old or over, the entitlement shall be in accordance with the following scale:

Years Of Service	45 Years Of Age And Over Entitlement
Less than 1 year	Nil
1 year and less than 2 years	5 weeks
2 years and less than 3 years	8.75 weeks
3 years and less than 4 years	12.5 weeks
4 years and less than 5 years	15 weeks
5 years and less than 6 years	17.5 weeks
6 years and over	20 weeks

- (c) 'Weeks pay' means the all purpose rate of pay for the employee concerned at the date of termination, and shall include, in addition to the ordinary rate of pay, over award payments, shift penalties and allowances paid in accordance with the relevant awards.

(xvi) Incapacity to Pay

Subject to an application by the employer and further order of the Industrial Relations Commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause (1) of this clause.

(xvii) Alternative Employment

Subject to an application by the employer and further order of the Industrial Relations Commission, an employer may pay a lesser amount (or no amount) of severance pay than that contained in subclause (1) if the employer obtains acceptable alternative employment for an employee

19. Part Time Employment

- (a) An employee may be engaged by the week on a part-time basis for a constant number of hours which having regard to the various of arranging ordinary hours shall average less than 38 hours per week.
- (b) Part-time employees shall not continue for a continuous period between four weeks from the date of engagement.
- (c) An employee so engaged shall be paid per hour one thirty-eighth of the weekly rate prescribed by Rates of Pay, for the classification in which the employee is engaged.
- (d) An employee engaged on a part-time basis shall be entitled to all other benefits available to full-time employees arising under this award/agreement on a proportional basis depending on the number of ordinary regular hours worked per week.
- (e) This clause shall not be used to reduce existing levels of permanent employees and as far as practicable shall not affect the skill development or earning opportunities or permanent employees.
- (f) As far as possible all overtime shall in the first instance be offered to permanent employees.
- (g) A part-time employee who works in excess of the hours fixed under the contract of employment shall be paid overtime in accordance with Overtime of this Award.
- (h) A current part-time employee may apply for a full-time position should a vacancy occur and, subject to being able to perform the duties required to fill the vacancy and all other things being equal, shall have preference of employment for the vacant position.

20. Anti-Discrimination

- (1) It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the *Industrial Relations Act* 1996 to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibility as a carer.
- (2) It follows that in fulfilling their obligations under the dispute resolution procedure prescribed by this award the parties have obligations to take all reasonable steps to ensure that the operation of the provisions this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfillment of these obligations for the parties to make application to vary any provision of the award which, by its terms or operation, has a direct or indirect discriminatory effect.
- (3) Under the *Anti-Discrimination Act* 1977, it is unlawful to victimize an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- (4) Nothing in this clause is to be taken to affect:
 - (a) any conduct or act which is specifically exempted from anti-discrimination legislation;
 - (b) offering or providing junior rates of pay to persons under 21 years of age;
 - (c) any act or practice of a body established to propogate religion which is exempted under section 56(d) of the *Anti-Discrimination Act* 1977;
 - (d) a party to this award from pursuing matters of unlawful discrimination in any State or Federal jurisdiction.

- (5) This clause does not create legal rights or obligations in addition to those imposed upon the parties by legislation referred to in this clause.

NOTES

- (a) Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- (b) Section 56(d) of the *Anti-Discrimination Act 1977* provides:

"Nothing in this Act affects any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion."

21. Area, Incidence and Duration

This Award rescinds and replaces the Australian Jockey Club - Electrical and Plumbing Award 2000 (327 IG 1168). This Award shall operate from the date the award is made by the Industrial Relations Commission of NSW 20 May 2003 and shall remain in force until 19 September 2004.

PART B

Table One - Weekly Aggregate Wage for Plumbers

Classification	Aggregate Weekly Wage from first full pay period on or after 19/09/2002 \$	Aggregate Weekly Wage from first full pay period on or after 19/09/2003 \$
Plumber	\$765.20	\$792.00
Apprentice Plumbers		
Year 1 (35%)	\$267.80	\$277.20
Year 2 (51%)	\$390.25	\$403.90
Year 3 (67%)	\$512.70	\$530.65
Year 4 (77%)	\$589.20	\$609.85

Table Two - Additional Allowances for Plumbers

Allowance	Effective from first full pay period to commence on or after 19/09/02	
Leading Hand	In charge of up to 2 journeymen: In charge of 3 to 5 journeymen: In charge of 5 to 10 journeymen: In charge of over 10 journeymen:	As per Building Employees Mixed Industries (State) Award As per above award As per above award As per above award
Clothing	\$6.30 per week	
First Aid	As per Building Employees Mixed Industries (State) Award	

Table Three - Weekly Aggregate Wage for Electricians

Classification	Aggregate Weekly Wage From first full pay period on or after 19/09/02	Aggregate Weekly Wage From first full pay period on or after 19/09/03
Electrician	\$756.00	\$782.50

Table Four of Part B - Additional Allowances For Electricians

Allowance	Effective from first full pay period to commence on or after 19/09/02	
Leading Hand	As per Electricians (State) Award	
Clothing	\$6.30 per week	

First Aid	As per Electricians (State) Award
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P. J. SAMS *D.P.*

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(005)

SERIAL C2075

AERATED WATERS, &c. (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3018 of 2003)

Before Commissioner Patterson

2 July 2003

VARIATION

1. Delete clause 6, State Wage Case Adjustments, of the award published 22 February 2002 (331 I.G. 498), and insert in lieu thereof the following:

6. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (a) any equivalent overaward payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

No.	Classification	Wage Total
	For establishments with a flow rate of 7000 litres per hour or more	\$
1.	Syrup maker whose syrup room operations are computerised	488.30
2.	Cordial and/or syrup maker using recipes or formulae	479.80
3.	Pre-mixer filler operator	469.10
4.	Employees who, under the direction of the employer or manager or foreman, are in charge of the running adjustment or running maintenance of automatic carbonating and/or fruit juice or aerated waters machinery or plant and/or syrup filler operator	455.90
5.	Assistant syrup maker	455.90
6.	Employee engaged on routine in-line testing	455.90
7.	Employee operating labelling palletising or de-palletising, case packing or unpacking or carton packing machines	454.30
8.	Storeman (as defined)	448.40

9.	Employees engaged on bottling or canning line operations including operating bottle washer, removing empty bottles from cases, or placing empty bottles on conveyors, sight inspecting, filling cases with full bottles, and stacking cases on pallets, fruit juice extracting cordial and/or syrup room (other than in Classification No. 1, 2 and 5), loader on or off motor trucks, cleaner, storeman and warehouse employee, store assistant (as defined), plastic blow moulding machines operator and/or employee attending, feeding or operating shrink wrap machine.	448.40
10.	Case, crate, box and/or pallet repairer	448.40
11.	Fork lift driver with lifting capacity of: (a) up to and including 5000 kg (b) Over 5000 kg and/or including twin forklift	467.90 479.30
12.	All other adult employees	448.40
13.	Trainee - first four weeks of service Motor wagon drivers - The rate of wages prescribed by the Transport Industry (State) Award, as varied from time to time, shall be applicable to	448.40

	employees classified as motor wagon drivers. For establishments with a flow rate of less than 7000 litres per hour	
14.	Grade 1B Soft Drink Industry Employee	448.40
15.	Grade 2B Soft Drink Industry Employee	465.10
16.	Grade 3B Soft Drink Industry Employee	493.60
17.	Grade 4B Soft Drink Industry Employee	508.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	4(iii)	Employees handling caustic soda	0.62 per hour extra
2	4(iv)	Employees working in a cold room	0.52 per hour extra
3	4(v)	Leading Hands - 3 to 10 employees	17.75 per week extra
		More than 10 employees	28.30 per week extra
4	4(vi)	First-aid Attendant	2.18 per day or shift

3. This variation shall take effect from the first full pay period to commence on or after 6 August 2003.

R. J. PATTERSON, Commissioner.

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(057)

SERIAL C2114

BRICK AND PAVER INDUSTRY (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Federated Brick Tile and Pottery Industrial Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 3623 of 2003)

Before Commissioner Patterson

17 July 2003

VARIATION

- Delete paragraph 5.2.1 State Wage Case Adjustments, of subclause 5.2, Wages, of the award published 1 September 2000 (318 I.G. 236), and insert in lieu thereof the following:

5.2.1 State Wage Case Adjustments

The rates of pay in this award include the adjustment payable under the State Wage Case of May 2003. This adjustment may be offset against:

- (a) any equivalent over-award payments; and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.

State Wage Case	Increase \$	Allowances %
May 2000	15.00	3.1
May 2001	13.00/15.00	3.0
May 2002	18.00	3.5
May 2003	17.00	3.2

2. Delete Part B, Monetary Payments, and insert in lieu thereof the following:

PART B**MONETARY PAYMENTS****Table 1 - Wages**

- (a) Automated and Semi-automated Yards:

Classification	Award Rate Per Week \$	Safety Net Adjustment \$	Total Rate Per Week \$
Division A	465.60	17.00	482.60
Division B	482.50	17.00	499.50
Division C	495.50	17.00	512.50
Division D	510.50	17.00	527.50
Division E	535.40	17.00	552.40

- (b) Manually Operated Yards:

Classification	Award Rate Per Week \$	Safety Net Adjustment \$	Total Per Week \$
Division A	465.60	17.00	482.60
Division B	478.30	17.00	495.30
Division C	482.50	17.00	499.50
Division D	495.50	17.00	512.50
Division E	535.40	17.00	552.40

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5.1.3	Leading Hand	27.70 per week
2	6.3.3	Meal allowance	7.30, then 6.05 for

			each subsequent Meal
3	5.5.2(a)	Shift allowance - rotating day-afternoon, day-night day-afternoon-night shift	6.90 per shift
4	5.5.2(b)	Shift allowance - rotating afternoon-night or permanent afternoon shift	10.30 per shift
5	5.5.2(c)	Shift allowance - permanent night shift	20.40 per shift
6	5.6.1	Piecework	1.95 per day
7	5.6.6	Hand Setting - Intermittent Fired Kilns - Standard Bricks	0.35 per thousand
		Hand Setting - Intermittent Fired Kilns - Outside Bricks	0.75 per thousand
8	5.6.6	Hand Setting - Standard Face Bricks	0.37 per thousand
		Outside Bricks	0.60 per thousand
9	4.6.3	Attending - 3 Oil Fire Kilns	9.60 per shift or Part thereof
		4 - Oil Fire Kilns	22.00 per shift or part thereof
10	4.7.6	Stacking Bricks - up to 9 metres from wicket - more than 9 metres from wicket	2.40 per thousand 0.77 per thousand for each further 9 metres or part thereof
		- classers - more than 37 metres from wicket	1.45 per thousand then 0.96 for each Additional 9 metres
11	5.5.3	Travel allowance	3.00 per day
12	5.5.4	Manganese Dioxide - handling	0.47 per hour
13	5.5.5	First-aid	\$1.80 per day

3. This variation shall take effect from the beginning first pay period to commence on or after 17 July 2003.

R. J. PATTERSON, Commissioner.

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(135)

SERIAL C2044

CLERICAL AND ADMINISTRATIVE EMPLOYEES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, industrial organisation of employees.

(No. IRC 2892 of 2003)

Before The Honourable Justice Glynn

19 June 2003

VARIATION

1. Delete subclause (xv) of clause 5, Classification Structure and Wages, of the award published 14 February 1997 (296 I.G. 619), and insert in lieu thereof the following:

- (xv) The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (a) any equivalent overaward payments, and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

The following minimum rates for adult employees shall take effect from 23 June 2003.

- (i) Adults -

Grade	Weekly Rate Pre SWC 2003 \$	SWC 2003 \$	Weekly Rate \$
1	470.60	17.00	487.60
2	491.50	17.00	508.50
3	525.20	17.00	542.20
4	566.90	17.00	583.90
5	627.50	17.00	644.50

- (ii) Provided that:

- (a) No employee employed as at 25 October 1996 is to receive less pay as a result of re-grading under this award. In the event that such re-grading results in a lower grading, the present salary is to be maintained until overtaken by award increases.
- (b) Overaward payments may be absorbed into any increase arising under this award.

- (iii) Juniors -

The minimum rates of wages per week for junior employees shall be as follows:

- (a) Equivalent to Grade 3 or above:

Age	Weekly Rate Pre SWC 2003 \$	SWC 2003 %	Weekly Rate \$
At 17 years of age	250.00	3.2	258.00
At 18 years of age	308.90	3.2	318.80
At 19 years of age	353.10	3.2	364.40
At 20 years of age	416.85	3.2	430.20

- (b) All other junior employees:

Age	Weekly Rate Pre SWC 2003 \$	SWC 2003 %	Weekly Rate \$
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Under 17 years of age	187.65	3.2	193.65
At 17 years of age	234.90	3.2	242.40
At 18 years of age	287.95	3.2	297.15
At 19 years of age	326.50	3.2	336.95
At 20 years of age	384.20	3.2	396.50

Table 2 - Other Rates And Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(x)(a)	Saturday Loadings: Adults Employees under 21 years of age	 14.00 per week 9.45 per week
2	7(iii)(b)	Meal Money (Shift Work)	10.15
3	12(iii)(a)(b)	Meal Allowance (Overtime)	10.15
4	16(iii)	Own Car Allowance: For a vehicle 1,500cc and under For a vehicle over 1,500cc	 82.40 per week 101.90 per week
5	16(iv)	Own Car Allowance: For use on a casual or incidental basis	 0.56 per km
6	18	First-aid Allowance	8.35 per week

3. This variation shall take effect from the first full pay period to commence on or after 23 June 2003.

L. C. GLYNN *J.*

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(155)

SERIAL C2098

CLERICAL AND ADMINISTRATIVE EMPLOYEES IN TEMPORARY EMPLOYMENT SERVICES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, industrial organisation of employees.

(No. IRC 3193 of 2003)

Before The Honourable Justice Glynn

30 July 2003

VARIATION

- Delete clause 10, Arbitrated Safety Net Adjustment, of the award published 10 November 2000 (320 I.G. 56), and insert in lieu thereof the following:

10. Arbitrated Safety Net Adjustment

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. Those adjustments may be offset against:

- (a) any equivalent overaward payments; and/or
 - (b) award wage increase since 29 May 1991 other than safety net, State Wage Case and minimum rates adjustments.
2. Delete the amount of \$672.00 appearing in subclause (i) of clause 25, Exemptions, and insert in lieu thereof the following amount of \$692.00.
 3. Delete Part B Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay

The following minimum rates shall take effect from the beginning of the first full pay period to commence on or after 24 August 2003:

(i) Adult Rates -

Grade	Former Weekly Rate \$	SWC 2003 \$	Weekly Rate \$	Part-time Per Hour + Annual Leave 9% \$	Hourly + 15% + Annual Leave (1/12) \$
4	566.90	17.00	583.90	16.75	19.15
3	525.20	17.00	542.20	15.55	17.80
2	491.50	17.00	508.50	14.60	16.65
1	470.60	17.00	487.60	14.00	16.00

(ii) Junior Rates -

Age	Former Weekly Rate \$	SWC 2003 %	Weekly Rate \$	Part-time Per Hour + Annual Leave 9% \$	Hourly + 15% + Annual Leave (1/12) \$
Under 17 years of age	187.65	3.2	193.65	5.55	6.35
At 17 years of age	234.90	3.2	242.40	6.95	7.95
At 18 years of age	287.95	3.2	297.15	8.50	9.75
At 19 years of age	326.50	3.2	336.95	9.60	11.05
At 20 years of age	384.20	3.2	396.50	11.40	13.00

(iii) Junior Rates - Equivalent to Grade 3 or above

Age	Former Weekly Rate \$	SWC 2003 %	Weekly Rate \$	Part-time Per Hour + Annual Leave 9% \$	Hourly + 15% + Annual Leave (1/12) \$
At 17 years of age	250.00	3.2	258.00	7.40	8.45
At 18 years of age	308.90	3.2	318.80	9.15	10.45
At 19 years of age	353.10	3.2	364.40	10.45	11.95

At 20 years of age	416.85	3.2	430.20	12.35	14.10
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Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	7(iii)(b)	Shift workers meal allowance - beyond 1 hour	10.15
2	7(iii)(b)	Shift workers meal allowance - beyond 5 hours	10.15
3	12(iii)(a)	Overtime meal allowance - after 6.00 p.m.	10.15
4	12(iii)(b)	Overtime meal allowance - after 10.00 p.m.	10.15
5	20(iv)	Travelling expenses - vehicles 1500cc and under	82.40
6	20(iv)	Travelling expenses - vehicles over 1500cc	101.90
7	20(v)	Use of motor car on casual/incidental basis	0.56
8	30(i)	First-aid allowance	8.45

4. This variation shall take effect from the first full pay period to commence on or after 24 August 2003.

L. C. GLYNN J.

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(129)

SERIAL C2065

CLERICAL EMPLOYEES IN METROPOLITAN NEWSPAPERS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, industrial organisation of employees.

(No. IRC 2891 of 2003)

Before The Honourable Justice Glynn

2 July 2003

VARIATION

- Delete subclause (xviii) of clause 6, Classification Structure and Wages, of the award published 29 October 1999 (311 I.G. 823), and insert in lieu thereof the following:

(xviii) State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (a) any equivalent overaward payments; and/or
- (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

- (i) Adults - The following minimum rates of wages for adult employees shall take effect on and from 6 July 2003:

Grade	Weekly Rate Pre SWC 2003 \$	SWC 2003 \$	Weekly Rate \$
1	470.60	17.00	487.60
2	491.50	17.00	508.50
3	525.20	17.00	542.20
4	566.90	17.00	583.90
5	627.50	17.00	644.50

- (ii) Provided that:

- (a) No employee employed as at 12 March 1998 is to receive less pay as a result of regrading under this award. In the event that such regrading results in a lower grading, the present salary is to be maintained until overtaken by award increases.

- (b) Overaward payments may be absorbed into any increase arising under this award.

- (iii) Juniors - The minimum rates of wages per week for junior employees shall be as follows:

- (a) Computer Operators:

Age	Weekly Rate Pre SWC 2003 \$	SWC 2003 %	Weekly Rate \$
At 17 years of age	250.00	3.2	258.00
At 18 years of age	308.90	3.2	318.80
At 19 years of age	353.10	3.2	364.40
At 20 years of age	416.85	3.2	430.20

- (b) All other junior employees:

Age	Weekly Rate Pre SWC 2003 \$	SWC 2003 %	Weekly Rate \$
Under 17 years of age	187.65	3.2	193.65
At 17 years of age	234.90	3.2	242.40
At 18 years of age	287.95	3.2	297.15
At 19 years of age	326.50	3.2	336.95
At 20 years of age	384.20	3.2	396.50

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	6(xi)(a)	Saturday Loadings - Adults Employees under 21 years of age	13.95 per week 9.45 per week
2	12 (iii)(b)	Meal Allowance (Shift Worker)	9.90
3	15(i)(a) and (b)	Meal Allowance (Day Worker)	9.90
4	27	First-aid Allowance	8.15

3. This variation shall take effect from the first full pay period to commence on or after 6 July 2003.

L. C. GLYNN *J.*

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(1007)

SERIAL C1979

NEW SOUTH WALES DEPARTMENT OF COMMUNITY SERVICES (AFTER HOURS SERVICE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by the Department of Community Services.

(No. IRC 837 of 2003)

Before Commissioner Murphy

4 April 2003

VARIATION

1. Delete clause 3, Definitions, of the award published 18 May 2001 (324 I.G. 1077) and insert in lieu thereof the following:

3. Definitions

"Act" means the NSW *Industrial Relations Act 1996* and its Regulations.

"Region" means a geographical area defined as a Region for the purpose of the Department's operations and, for the purposes of this Award, only includes the Western, Hunter, Southern and Northern Regions and the former Central Coast Area (now within the Met North Region).

"Association" means the Public Service Association of NSW.

"Department" means the NSW Department of Community Services.

"Officer" means all persons permanently or temporarily employed under the provisions of the *Public Sector Employment and Management Act 2002* and who, on or after the operative date of this Award, are employed within the NSW Department of Community Services.

"On Call Rate" means a rate paid to the rostered officer who the Regional Director has determined must be available for the rostered period to receive after hours calls out of ordinary hours and be able to respond as required.

"Disturbance Rate" means a rate paid to a rostered officer who the Regional Director has determined need only be contactable and able to respond to after hours calls out of hours wherever possible.

"PEO" shall mean the Public Employment Office established under Chapter 6 of the *Public Sector Employment and Management Act 2002*.

"Rostered Officer" means an officer who has volunteered to be rostered on-call or on a disturbance basis to provide after hours services.

2. Delete Clause 4, Incidence, and insert in lieu thereof the following new clause:

4. Incidence

This Award shall apply to officers employed as Managers Client Services, Managers Casework, Caseworkers, Senior Practitioners, Child Protection Caseworker Specialists and Rural Child Protection Casework Specialists who volunteer to be placed on an On-Call or Disturbance Roster for the provision of an after hours service in the Region.

3. Delete the word "Area" appearing in subclauses (iv), (v), (vi) and (vii) of clause 5, Rostering Arrangements and insert in lieu thereof the word "Regional".
4. Delete the word "Areas" appearing in subclause (xi) of clause 5, Rostering Arrangements, and insert in lieu thereof the word "Regions".
5. Delete the line commencing with the word "Central" appearing in subclause (xi) of clause 5, Rostering Arrangements, and insert in lieu thereof the following:

The former Central Coast Area, now part of Metro North Region.
6. Delete the words "District Officers" appearing in subclause (iv) of clause 6, Rates for After Hours Service, and insert in lieu thereof the following words "Child Protection Caseworkers".
7. Delete the word "Area" appearing in subclause (iv) of clause 7, Contactability, and insert in lieu thereof the word "Regional".
8. Delete the word "Area" appearing in subclause (i) of clause 9, Use of Departmental Vehicles, and insert in lieu thereof the word "Region".
9. Delete the words "Crown Employees (Public Service Conditions of Employment 1997" appearing in subclause (iii) of clause 9, Use of Departmental Vehicles, and insert in lieu thereof the following:

Crown Employees (Public Service Conditions of Employment) Award 2002.

10. Delete the words "Crown Employees (Public Sector - Salaries January 2000 Award" appearing in paragraph (e) of subclause (i) of clause 10, Overtime and insert in lieu thereof the following:

Crown Employees (Public Sector - Salaries January 2002) Award.
11. Delete the word "Area" appearing in subclauses (i) and (ii) of clause 11, Selection Criteria and Process, and insert in lieu thereof the word "Regional".
12. Delete the word "Area" appearing in clause 12, Training, and insert in lieu thereof the word "Regional".
13. Delete subclause (viii) of clause 14, Dispute Resolution Procedures, and insert in lieu thereof the following:

(viii) The union or the Department Head may refer the matter to the New South Wales Industrial Relations Commission if the matter is unresolved following the use of these procedures.
14. Delete subclause (ix) of clause 14, Dispute Resolution Procedures and insert in lieu thereof the following:

(ix) The union, department and PEO shall agree to be bound by any final order or determination by the New South Wales Industrial Relations Commission in relation to the dispute.
15. Delete clause 15, Date and Period of Operation, and insert in lieu thereof the following new clause:

15. Date and Period of Operation

The rates prescribed in clause 6, Rates for After Hours Service, shall apply to those officers who are required to provide an After Hours Service and who are not in receipt of any greater rate.

This Award, published 18 May 2001 (324 I.G. 1077), took effect on and from 22 July 1999 and rescinded and replaced the New South Wales Department of Community Services Award 1994 published 10 March 1995 (284 I.G. 451).

This variation (except for Part B, Monetary Rates) shall take effect on and from 4 April 2003. The rates within Part B, Monetary Rates, will have effect from the dates indicated in the tables.

16. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Rates of Pay

Classification	Amount from first full pay period to commence on or after 1 December 2002 \$	Amount from first full pay period to commence on or after 1 August 2003 \$
Monday 5.00 p.m. to Saturday 9.00 a.m.	60.00 per day	65.40 per day
Saturday 9.00 a.m. to Sunday 9.00 a.m.	90.00 per day	98.10 per day
Sunday 9.00 a.m. to Monday 9.00 a.m.	90.00 per day	98.10 per day
Public Holiday	90.00 per day	98.10 per day

Table 2 - Other Rates and Allowances

Item. No	Clause. No	Amount from first full pay period to commence on or after 1 December 2002	Amount from first full pay period to commence on or after 1 August 2003
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		\$	\$
1	6(ii) Disturbance Rate	18.00 per day	19.60 per day

17. This variation shall take effect on and from 4 April 2003, except for Part B, Monetary Rates, for which the dates indicated in the tables will apply.

J. P. MURPHY, Commissioner.

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(113)

SERIAL C2099

PHARMACY ASSISTANTS (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Applications by Shop, Distributive and Allied Employees' Association, New South Wales, and Shop Assistants and Warehouse Employees' Federation of Australia, Newcastle and Northern, New South Wales, industrial organisation of employees.

(Nos. IRC 3202 and 3206 of 2003)

Before Commissioner Ritchie

9 July 2003

VARIATION

1. Delete clause 16, Arbitrated Safety Net Adjustment, of the award published 13 October 2000 (319 I.G. 285), as varied, and insert in lieu thereof the following:

16. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:
 - (i) any equivalent overaward payments; and/or

- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Insert in clause 19, Work Standards and Classification Arrangements for Pharmacy Assistants a new subclause 19.7
- 19.7 Transitional rates of pay for non-reclassified employees

The following transitional rates of pay shall apply from the first full pay period on or after 9 July 2003 to employees who have not been reclassified in accordance with the above arrangement.

Classification	Total Rate Per Week \$
Pharmacy Assistant Grade 1 first six months, trainee or unqualified	497.10
Pharmacy Assistant Grade 1	507.40
Pharmacy Assistant Grade 2	517.60
Pharmacy Assistant Grade 3	527.90
Pharmacy Assistant Grade 4	540.10

These transitional rates of pay shall cease to have effect on translation.

3. Delete (i) Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:
- (i)

Table 1 - Wages

Description	Total Rate Per Week \$
Pharmacy Assistant Competency Level 1 first six months	497.10
Pharmacy Assistant Competency Level 1	507.40
Pharmacy Assistant Competency Level 2	517.60
Pharmacy Assistant Competency Level 3	540.10
Pharmacy Assistant Competency Level 4	573.70

4. Delete Item 5 of Table 2 - Other Rates and Allowances, of the said Part B and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
5	34(ii)	Living Away from Home Allowance	8.35 per day

5. This variation shall take effect from the first full pay period to commence on or after 9 July 2003, and remain in force for a period of 12 months..

D. W. RITCHIE, Commissioner.

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(429)

SERIAL C2154

PRIVATE PATHOLOGY LABORATORIES (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Australian Liquor, Hospitality and Miscellaneous Workers Union, New South Wales Branch, industrial organisation of employees.

(No. IRC 3731 of 2003)

Before Commissioner Ritchie

08 August 2003

VARIATION

1. Delete subclause (iii) of clause 4, Wages, of the award published 13 October 2000 (319 I.G. 377), as varied, and insert in lieu thereof the following:
 - (iii) The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:
 - (a) any equivalent overaward payments; and/or
 - (b) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete subclause (iii) of clause 26, Exemptions, and insert in lieu thereof the following:
 - (iii) Douglass Hanly Moir Pathology Pty Limited, Barratt and Smith Pathology and Southern Pathology Services Pty Ltd shall be exempt from the provisions of clause 4, Wages, in this

variation in No. IRC 3731 of 2003 in accordance with the terms of clause 4, Wages, of the Douglass Hanly Moir, Barratt and Smith and Southern Pathology (State) Award made in No. IRC 2630 of 2003 on 27 June 2003 and published on 9 February 2001 (322 I.G. 217). The duration of this exemption is for the nominal term of the award.

3. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Classification	Former Rate Per Week \$	SWC 2003 \$	Total Rate Per Week \$
Pathology Aide - Laboratory			
Grade 3 - on commencement	446.00	17.00	463.00
Grade 2 - after 12 months	462.00	17.00	479.00
Grade 1 - on appointment	493.00	17.00	510.00
Pathology Aide - Ancillary			
Grade 3 - on commencement	446.00	17.00	463.00
Grade 2 - after 12 months	462.00	17.00	479.00
Grade 1 - on appointment	493.00	17.00	510.00
Pathology Aide - Courier			
On commencement	506.00	17.00	523.00
Pathology Collector -			
Grade 4 - in training	471.00	17.00	488.00
Grade 3 - on appointment	511.00	17.00	528.00
Grade 2 - on appointment	538.50	17.00	555.50
Grade 1 - Educator/Co-ordinator	569.30	17.00	586.30
Practice Trainee - Scientific and Technical Officers			
Stage 1 - Scientific and Technical	346.00	17.00	363.00
Stage 2 - Scientific and Technical	381.00	17.00	398.00
Stage 3 - Scientific and Technical	426.00	17.00	443.00
Stage 4 - Scientific and Technical and thereafter	455.00	17.00	472.00
Stage 5 - Scientific	492.00	17.00	509.00
Stage 6 - Scientific	516.00	17.00	533.00
Scientific and thereafter	543.60	17.00	560.60
Technical Officers -			
Grade 4.2 - on commencement	559.20	17.00	576.20
Grade 4.1 - after 12 months	577.70	17.00	594.70
Grade 3.3 - on appointment	608.50	17.00	625.50
Grade 3.2 - after 12 months	629.00	17.00	646.00
Grade 3.1 - after 2 years	644.30	17.00	661.30
Grade 2.2 - on appointment after at least 4 years			
At Grade 3	664.80	17.00	681.80
Grade 2.1 - after 2 years' service on performance	680.20	17.00	697.20
Grade 1.2 - on appointment	716.10	17.00	733.10
Grade 1.1 - after 3 years' service on performance	736.60	17.00	751.60
Scientific Officers -			
Grade 4.2 - on commencement	569.50	17.00	586.50
Grade 4.1 - after 12 months' service	608.50	17.00	625.50
Grade 3.3 - on appointment	670.00	17.00	687.00
Grade 3.2 - after further 12 months' service	690.50	17.00	707.50
Grade 3.1 - after 2 years	716.10	17.00	733.10
Grade 2.2 - on appointment after not less than			

4 years at Grade 3	736.60	17.00	751.60
Grade 2.1 - after 2 years' service on performance	767.30	17.00	782.30
Grade 1.2 - on appointment	796.10	17.00	811.10
Grade 1.1 - after 3 years	826.80	17.00	841.80

Table 2 - Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	8(a) (iii)	Meal Allowance Each additional 4 hours' overtime	9.25 9.25
2	16 (i)	On-call Allowance (each day or shift) Monday to Saturday inclusive	12.80
3	16 (i)	On-call Allowance (each day or shift) Sunday	25.40
4	18	Locomotion	0.38 per km
5	19	First-aid Certificate	15.15 per week

4. This variation shall take effect from the commencement of the first pay period to commence on or after 12 August 2003.

D. W. RITCHIE, Commissioner.

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(575)

SERIAL C2081**REFRACTORY INDUSTRY (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by The Federated Brick, Tile and Pottery Industrial Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 3624 of 2003)

Before Commissioner Patterson

17 July 2003

VARIATION

1. Delete clause 5, State Wage Case Adjustments, of the award published 5 October 2001 (328 I.G. 383), and insert in lieu thereof the following:

5. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (a) any equivalent over award payments; and/or
- (b) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.

State Wage Case	Increase \$	Allowances %
May 2000	15.00	3.1
May 2001	13.00	3.0
May 2002	18.00	3.5

May 2003	17.00	3.2
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2. Delete Table 1 - Wages and Table 2 - Other Rates and Allowances, appearing in Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

Classification	Award Rate per week (\$)	SWC 2003 (\$)	Total per week (\$)
Basic Entry Level	431.80	17.00	448.80
Level 1	450.10	17.00	467.10
Level 2	461.30	17.00	478.30
Level 3	473.50	17.00	490.50
Level 4	491.00	17.00	508.00

Table 2 - Other Rates and Allowances

Item No	Clause No	Brief Description	Amount (\$)
1	9.3	Industry Allowance	18.35 per week
2	11.2	Leading Hand	31.30 per week
3	16.4	Meal Allowance each subsequent meal	7.65 6.45
4	18.1(a)	Shift Allowance (rotating day afternoon, day-night, day-afternoon-night shift)	6.90 per shift
5	18.1(b)	Shift Allowance (rotating afternoon-night shift)	10.20 per shift
6	18.1(c)	Shift Allowance (permanent night shift)	20.20 per shift
7	37	First-aid Allowance	1.80 per day

3. This variation shall take effect from the first full pay period commencing on or after 17 July 2003.

R. J. PATTERSON, Commissioner.

Printed by the authority of the Industrial Registrar.

(4165)

SERIAL C2079**RETAIL INDUSTRY (STATE) TRAINING WAGE AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales and another, industrial organisation of employees.

(Nos. IRC 3333 and 3334 of 2003)

Before Commissioner Patterson

11 July 2003

VARIATION

1. Delete subclause (d) of clause 7, Wages, of the award published 4 May 2001 (324 I.G. 529) and insert in lieu thereof the following:
 - (d) The rates of pay in this award include the adjustments payable under the State Wage Case of May 2003. These adjustments may be offset against:
 - (i) any equivalent overaward payments; and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Weekly Rates - Industry/Skill Level A**

Skill Level A - Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level A.

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	207.00	227.00	274.00
Plus 1 year out of school	227.00	274.00	319.00
Plus 2 years	274.00	319.00	371.00
Plus 3 years	319.00	371.00	424.00
Plus 4 years	371.00	424.00	
Plus 5 years or more	424.00		

*Figures in brackets indicate the average proportion of time spent in approved training to which the associated wage rate is applicable. Where not specifically indicated, the average proportion of time spent in structured training which has been taken into account in setting the above rates is 20 per cent.

Table 2 - Weekly Rates - Industry/Skill Level B

Skill Level B - Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level B.

	Highest year of school completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	207.00	227.00	264.00
Plus 1 year out of school	227.00	264.00	304.00
Plus 2 years	264.00	304.00	357.00
Plus 3 years	304.00	357.00	406.00
Plus 4 years	357.00	406.00	
Plus 5 years or more	406.00		

*Figures in brackets indicate the average proportion of time spent in approved training to which the associated wage rate is applicable. Where not specifically indicated, the average proportion of time spent in structured training which has been taken into account in setting the above rates is 20 per cent.

Table 3 - Weekly Rates - Industry/Skill Level C

Skill Level C - Where the accredited training course and work performed are for the purpose of generating skills which have been defined for work at Skill Level C.

	Highest year of schooling completed		
	Year 10 \$	Year 11 \$	Year 12 \$
School leaver	207.00	227.00	257.00
Plus 1 year out of school	227.00	257.00	289.00
Plus 2 years	257.00	289.00	323.00
Plus 3 years	289.00	323.00	361.00
Plus 4 years	323.00	361.00	
Plus 5 years or more	361.00		

* Figures in brackets indicate the average proportion of time spent in approved training to which the associated wage rate is applicable. Where not specifically indicated, the average proportion of time spent in structured training which has been taken into account in setting the above rates is 20 per cent.

Table 4 - School-Based Traineeships

	Year of Schooling	
	Year 11	Year 12
School based traineeships Skill Levels A, B and C	207.00	227.00

* Assumes the average proportion of time spent in structured training is 20 per cent.

Table 5 - Hourly Rates for Trainees Who Have Left School

	Year 10	Year 11	Year 12
Skill Level A -			
School leaver	6.81	7.47	9.01
Plus 1 year after leaving school	7.47	9.01	10.49
Plus 2 years	9.01	10.49	12.20
Plus 3 years	10.49	12.20	13.95
Plus 4 years	12.20	13.95	
Plus 5 years or more	13.95		
Skill Level B -			
School leaver	6.81	7.47	8.68
Plus 1 year after leaving school	7.47	8.68	10.00
Plus 2 years	8.68	10.00	11.74
Plus 3 years	10.00	11.74	13.36
Plus 4 years	11.74	13.36	
Plus 5 years or more	13.36		
Skill Level C -			
School leaver	6.81	7.47	8.45
Plus 1 year after leaving school	7.47	8.45	9.51
Plus 2 years	8.45	9.51	10.63
Plus 3 years	9.51	10.63	11.88
Plus 4 years	10.63	11.88	
Plus 5 years or more	11.88		

Table 6 - Hourly Rates for School Based Traineeships

	Year of Schooling	
	Year 11	Year 12
Skill Levels A, B and C	6.81	7.47

3. This variation shall take effect from the first full pay period to commence on or after 24 July 2003.

R. J. PATTERSON, Commissioner.

(241)

SERIAL C2033**RETAIL SERVICES EMPLOYEES (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales and another, industrial organisation of employees.

(No. IRC 3198 and 3204 of 2003)

Before Commissioner Ritchie

30 June 2003

VARIATION

1. Delete clause 22, Wages, of Part B, Monetary Rates, of the award published 5 October 2001 (328 I.G. 261), and insert in lieu thereof the following:

22. Wages

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (i) any equivalent overaward payments, and/or
- (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

Table 1 - Total Rates

Classification	Former Rate Per Week \$	SWC 2003 \$	Total Rate Per Week \$
Propagator/Gardener	461.80	17.00	478.80
Retail Building Assistant	489.80	17.00	506.80
Retail Security Assistant -			

Gatekeeper	489.80	17.00	506.80
Security Guard	489.80	17.00	506.80
Security Guard - Tell Tale	489.80	17.00	506.80
Security Guard - Additional Duties	489.80	17.00	506.80
Retail Services Assistant -			
Tea Attendant	470.60	17.00	487.60
Cleaner	470.60	17.00	487.60
Parking Attendant	470.60	17.00	487.60
Lift Attendant	470.60	17.00	487.60
Garden Hand	442.60	17.00	459.60

2. Delete Table 2 - Other Rates and Allowances and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$	
1	4(B)(iii)(a)	Broken Shift Allowance	10.46 per shift	
2	4(B)(iii)(b)	Excess Fares Allowance	6.80 per week	
3	7(i)	Leading Hands	Per Week	Per day
4		1 to 5 employees	21.70	4.34
		6 to 10 employees	24.60	4.92
5	7(ii)	First-aid Allowance	11.90 per week	
6			2.38 per day	
7	7(iii)	Qualification Allowance	14.60 per week	
8			2.92 per day	
9	7(iv)	Gun Allowance	1.68 per shift	
10			8.40 per week	
11	7(v)	Use of multi-purpose machines and other mobile sweeping machines, mechanical equipment, operate fork lifts	1.88 per shift	
12	7(vi)	Refuse disposal (Retail Services Assistant)	0.75 per hour	
13			15.00 per week	
14	7(vii)	Toilet cleaning, work on outside steps, marble, brass, etc., which necessitates Kneeling	7.50 per week	
15			1.50 per day	
16	7(xi)	Horticultural Certificate Course	14.60 per week	
17	8	Retail Building Assistant provided with Accommodation	deduction of not more than 11.70 per week	

3. Delete Items 1 2, 5, 6, 8 to 16 and 20 to 23 of Table 2 - Other Rates and Allowances, appearing in the Appendix and insert in lieu thereof the following:

Table 2 - Other Rates and Allowances

Item No.	Clause No.	Brief Description	Amount \$
1	5(a)	Night interval employees	1.88 per shift
2	5(a)	Night interval employees (working one night per week)	2.96 per shift

5	14(a)(ii)	General Shops - Loading for casual employees working on a Saturday Engagements up to and including four hours - Adult Employees Employees under 21 years of age Engagements exceeding four hours - Adult Employees Employees under 21 years of age	5.50 3.65 11.20 6.15
	14(a)(iii)	Special and Confection Shops - Loading for casual employees working on a Saturday: Adult Employees Employees under 21 years of age	5.50 3.65
6	14(c)(ii)	Confection Shop - Employees working after 10.00p.m. on any night	1.54 per night
8	38(1)(i)2(b)	Window Dressers under the age of 21	7.60 per week
9	35(i)(a)	Section Head	11.00 per week
10	35(i)(b)	Qualified adult automotive parts and accessories salesperson	25.00 per week
11	35(i)(c)	Employee with a licence under the <i>Liquor Act</i> 1982	17.20 per week
12	35(ii)(a)	Employee delivering goods	3.80 per week
13	35(ii)(b)	Employee engaged in photographic or other modelling	36.40 per week 7.28 per day
14	35(ii)(c)	First-aid attendant	1.44 per day
15	35(ii)(d)	Employee engaged to speak a second language	7.30 per week
16	35(ii)(e)	Ticket writer - At or over 21 years of age Under 21 years of age	14.70 per week 7.35 per week
20	35(v)(a)(1)	Disability allowance for employees working in freezer room	7.05 per week
21	35(v)(b)(1)	Disability allowance for employees working in public dairy room	10.60 per week
22	35(v)(c)(1)	Disability allowance for employees backfilling in a freezer room	14.10 per week
23	36(i)(a)	Casual hourly rate of pay for persons employed at trade fairs, etc., between 9.00 a.m. and 6.00 p.m., with a minimum payment of six hours - At 19 years of age and over Under 19 years of age	12.69 per hour 12.39 per hour
	36(ii)(b)	Saturday Penalty Rates Adult Employees Under 21 years	5.50 3.65

4. This variation shall take effect from the first full pay period to commence on or after 28 July 2003.

D. W. RITCHIE, Commissioner.

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(625)

SERIAL C2032

**SCHOOL SUPPORT STAFF (ARCHDIOCESE OF SYDNEY, DIOCESES
OF BROKEN BAY AND PARRAMATTA) (STATE) AWARD 2001**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Independent Education Union, industrial organisation of employees.

(No. IRC 3363 of 2003)

Before Commissioner Ritchie

1 July 2003

VARIATION

1. Delete clause 11, Overtime, of the award published 13 July 2001 (326 I.G. 40), and insert in lieu thereof the following:

11. Overtime

- (i) Subject to the provisions of subclause (vi) of this clause an employer may require an employee to work reasonable overtime at overtime rates. All time required by the employer to be worked outside the ordinary hours of work prescribed by clause 9, Hours, shall be overtime and shall be paid for at the un-averaged rate of time and one-half for the first two hours and double time thereafter; provided that overtime at the rate of double time shall be paid for all overtime worked between midnight Friday and midnight Sunday. Provided further that in computing overtime each day's work shall stand alone.
- (ii) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least ten consecutive hours off duty between the work of successive days. An employee other than a casual employee who works so much overtime between the termination of their ordinary work on one day and the commencement of their ordinary work on the next day that they have not had at least ten consecutive hours off duty between those times shall, subject to this subclause, be released after completion of such overtime until they have had ten consecutive hours off duty, without loss of pay, for ordinary working time occurring during such absence. If on the instruction of the employer such an employee resumes or continues work without having had such ten consecutive hours off duty, they shall be paid at double rates until they are released from duty for such period and he/she then shall be entitled to be absent until they have had ten consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (iii) Where an employee has performed duty on overtime, the employee may be released from duty for a period not exceeding the period of overtime actually worked subject to the conditions herein:

- (a) An employee may only be released from duty in lieu of payment for overtime at the request of the employee and with agreement from the employer. Such agreement shall be in writing and be kept with the time and wages records.
 - (b) An employee may not accumulate more than 20 hours to be taken as leave in lieu of overtime payment and shall be taken within four weeks of the accrual. Where such leave is not taken in this period it shall be paid at the appropriate overtime rate.
 - (c) This provision shall only apply in respect of overtime worked between Monday to Friday inclusive. Normal penalties for overtime worked on Saturday and Sunday shall apply for those days.
 - (iv) An employee required to attend the employer's premises for a reason other than carrying out rostered duties after leaving the place of employment (whether notified before or after leaving the place of employment) shall be paid a minimum of two hours pay at the appropriate rate for each such attendance. Provided that this subclause shall not apply where a period of duty is continuous (notwithstanding that the employer may allow the employee a reasonable meal break before, during or after such attendance) with the completion or commencement of ordinary working time.
 - (v) For work done on a Sunday double ordinary time with a minimum payment for four hours' work shall be paid.
 - (vi) An employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable.
 - (vii) For the purposes of subclause (vi) what is unreasonable or otherwise will be determined having regard to:
 - (a) any risk to employee health or safety;
 - (b) the employee's personal circumstances including any family and carer responsibilities;
 - (c) the needs of the workplace or enterprise;
 - (d) the notice (if any) given by the employer of the overtime and by the employee of his or her intention to refuse it; and
 - (e) any other relevant matter.
2. This variation shall take effect from the first full pay period to commence on or after 1 July 2003.

D. W. RITCHIE, Commissioner.

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(624)

SERIAL C2034

**SCHOOL SUPPORT STAFF (COUNTRY AND REGIONAL DIOCESES)
(STATE) AWARD 2001**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Independent Education Union, industrial organisation of employees.

(No. IRC 3363 of 2003)

Before Commissioner Ritchie

1 July 2003

VARIATION

1. Delete clause 11, Overtime, of the award published 13 July 2001 (326 I.G. 1), and insert in lieu thereof the following:

11. Overtime

- (i) Subject to the provisions of subclause (vi) of this clause an employer may require an employee to work reasonable overtime at overtime rates. All time required by the employer to be worked outside the ordinary hours of work prescribed by clause 9, Hours, shall be overtime and shall be paid for at the unaveraged rate of time and one-half for the first two hours and double time thereafter; provided that overtime at the rate of double time shall be paid for all overtime worked between midnight Friday and midnight Sunday. Provided further that in computing overtime each day's work shall stand alone.
- (ii) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least ten consecutive hours off duty between the work of successive days. An employee other than a casual employee who works so much overtime between the termination of their ordinary work on one day and the commencement of their ordinary work on the next day that they have not had at least ten consecutive hours off duty between those times shall, subject to this subclause, be released after completion of such overtime until they have had ten consecutive hours off duty, without loss of pay, for ordinary working time occurring during such absence. If on the instruction of the employer such an employee resumes or continues work without having had such ten consecutive hours off duty, they shall be paid at double rates until they are released from duty for such period and he/she then shall be entitled to be absent until they have had ten consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (iii) Where an employee has performed duty on overtime, the employee may be released from duty for a period not exceeding the period of overtime actually worked subject to the conditions herein:

- (a) An employee may only be released from duty in lieu of payment for overtime at the request of the employee and with agreement from the employer. Such agreement shall be in writing and be kept with the time and wages records.
 - (b) An employee may not accumulate more than 20 hours to be taken as leave in lieu of overtime payment and shall be taken within four weeks of the accrual. Where such leave is not taken in this period it shall be paid at the appropriate overtime rate.
 - (c) This provision shall only apply in respect of overtime worked between Monday to Friday inclusive. Normal penalties for overtime worked on Saturday and Sunday shall apply for those days.
 - (iv) An employee required to attend the employer's premises for a reason other than carrying out rostered duties after leaving the place of employment (whether notified before or after leaving the place of employment) shall be paid a minimum of two hours pay at the appropriate rate for each such attendance. Provided that this subclause shall not apply where a period of duty is continuous (notwithstanding that the employer may allow the employee a reasonable meal break before, during or after such attendance) with the completion or commencement of ordinary working time.
 - (v) For work done on a Sunday double ordinary time with a minimum payment for four hours' work shall be paid.
 - (vi) An employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable.
 - (vii) For the purposes of subclause (vi) what is unreasonable or otherwise will be determined having regard to:
 - (a) any risk to employee health or safety;
 - (b) the employee's personal circumstances including any family and carer responsibilities;
 - (c) the needs of the workplace or enterprise;
 - (d) the notice (if any) given by the employer of the overtime and by the employee of his or her intention to refuse it; and
 - (e) any other relevant matter.
2. This variation shall take effect from the first full pay period to commence on or after 1 July 2003.

D. W. RITCHIE, Commissioner.

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(1316)

SERIAL C2035**SCHOOL SUPPORT STAFF (CATHOLIC INDEPENDENT SCHOOLS)
(STATE) AWARD 2001**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by New South Wales Independent Education Union, industrial organisation of employees.

(No. IRC 3363 of 2003)

Before Commissioner Ritchie

1 July 2003

VARIATION

1. Delete clause 11, Overtime, of the award published 7 December 2001 (330 I.G. 166), and insert in lieu thereof the following:

11. Overtime

- (i) Subject to the provisions of subclause (vi) of this clause an employer may require an employee to work reasonable overtime at overtime rates. All time required by the employer to be worked outside the ordinary hours of work prescribed by clause 9, Hours, shall be overtime and shall be paid for at the un-averaged rate of time and one-half for the first two hours and double time thereafter; provided that overtime at the rate of double time shall be paid for all overtime worked between midnight Friday and midnight Sunday. Provided further that in computing overtime each day's work shall stand alone.
- (ii) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least ten consecutive hours off duty between the work of successive days. An employee other than a casual employee who works so much overtime between the termination of their ordinary work on one day and the commencement of their ordinary work on the next day that they have not had at least ten consecutive hours off duty between those times shall, subject to this subclause, be released after completion of such overtime until they have had ten consecutive hours off duty, without loss of pay, for ordinary working time occurring during such absence. If on the instruction of the employer such an employee resumes or continues work without having had such ten consecutive hours off duty, they shall be paid at double rates until they are released from duty for such period and he/she then shall be entitled to be absent until they have had ten consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (iii) Where an employee has performed duty on overtime, the employee may be released from duty for a period not exceeding the period of overtime actually worked subject to the conditions herein:

- (a) An employee may only be released from duty in lieu of payment for overtime at the request of the employee and with agreement from the employer. Such agreement shall be in writing and be kept with the time and wages records.
- (b) An employee may not accumulate more than 20 hours to be taken as leave in lieu of overtime payment and shall be taken within four weeks of the accrual. Where such leave is not taken in this period it shall be paid at the appropriate overtime rate.
- (c) This provision shall only apply in respect of overtime worked between Monday to Friday inclusive. Normal penalties for overtime worked on Saturday and Sunday shall apply for those days.
- (iv) An employee required to attend the employer's premises for a reason other than carrying out rostered duties after leaving the place of employment (whether notified before or after leaving the place of employment) shall be paid a minimum of two hours pay at the appropriate rate for each such attendance. Provided that this subclause shall not apply where a period of duty is continuous (notwithstanding that the employer may allow the employee a reasonable meal break before, during or after such attendance) with the completion or commencement of ordinary working time.
- (v) For work done on a Sunday double ordinary time with a minimum payment for four hours' work shall be paid.
- (vi) An employee may refuse to work overtime in circumstances where the working of such overtime would result in the employee working hours which are unreasonable.
- (vii) For the purposes of subclause (vi) what is unreasonable or otherwise will be determined having regard to:
 - (a) any risk to employee health or safety;
 - (b) the employee's personal circumstances including any family and carer responsibilities;
 - (c) the needs of the workplace or enterprise;
 - (d) the notice (if any) given by the employer of the overtime and by the employee of his or her intention to refuse it; and
 - (e) any other relevant matter.

2. This variation shall take effect from the first full pay period to commence on or after 1 July 2003.

D. W. RITCHIE, Commissioner.

Printed by the authority of the Industrial Registrar.

(212)

SERIAL C2069**TEXTILE INDUSTRY (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 2824 of 2003)

Before Commissioner Murphy

29 July 2003

VARIATION

1. Delete paragraph 5.3.3 of subclause 5.3 of clause 5, Rates of Pay, of the award published 19 October 2001 (328 I.G. 841), and insert in lieu thereof the following:

- 5.3.3 Whenever the State Wage Case decision provides that award wages be increased by the application of a "plateau" formula, the "plateau" level for the purposes of this award shall be determined by reference to the base rates.

The increase shall then be calculated in accordance with subparagraphs 5.3.1 and 5.3.2 hereof.

The rates of pay in this award include the adjustments payable under the State Wage Case May 2003, as set out in the said Table 1, Rates of Pay in Part B - Monetary Rates. This adjustment may be offset against:

- (A) any equivalent overaward payments, and/or
 - (B) award wage increases since 29 May 1991 other than safety net adjustments and minimum rates adjustments.
2. Delete Part B, Monetary Rates, and insert in lieu thereof the following:

PART B**MONETARY RATES****Table 1 - Rates of Pay**

The following rates of pay are payable on or from the first pay period on or after 23 July 2003:

Adult Rates of Pay - Clause 5

Classification Skill Level	Minimum Weekly Award Wage Rate* (\$)
Trainee	448.40
1	465.10
2	487.60
3	508.50
4	542.20
5 [#]	583.90

* The weekly award wage rate for ordinary hours combines the base rate, supplementary payment and arbitrated safety net adjustments and State Wage Case decision awarded since the NWC October 1993 Review of Wage Fixing Principles.

Wage Band

Junior Rates of Pay - Clause 9

Years of Age	% of Skill Level 2 Skill Level 2 (\$470.60)	Minimum Weekly Award Wage Rate \$
16	50	243.80
16.5	55	268.20
17	59	287.70
17.5	64	312.05
18	69	336.45
18.5	75	365.70
19	80	390.10
19.5	85	414.45
20	Adult Rate	

Apprentice Rates of Pay - Clause 6

4-year term	Percentage of Skill Level 4 (\$542.20)	Minimum Weekly Award Rate (\$)
1st year	52	281.95
2nd year	62	336.15
3rd year	82	444.60
4th year	92	498.80

Adult Apprentice Rates of Pay - Clause 7A

4-year term	Percentage of Skill Level 4 (\$542.20)	Minimum Weekly Award Rate (\$)
1st year	82	444.60
2nd year	87	471.70
3rd year	92	498.80
4th year	100	542.20

Table 2 - Other Rates and Allowances

The following rates of pay shall be payable on or from the first pay period on or after 23 July 2003:

Item	Clause	Brief Description	Amount
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No.	No.		\$
1	5.7	Leading Hand Allowance - In charge of up to 10 employees In charge of 11 to 20 employees In charge of 21 or more employees	19.40 per week 28.30 per week 34.30 per week
		High Rise Stacker Operator	14.10 per week
2	10.1	Blender/Blending machine attendant	14.80 per week
3	10.2 39.19	Hand Stripping of cards	0.87 per complete set
4	10.3	Called upon to work in dust chamber in a Cotton Mill	7.40 extra for that week
5	10.4	Engaged in Dye House/Bleach House	6.20 per week
6	10.4	Employees also engaged in loading/unloading of Kiers or entering vaporloc machines	Further additional 3.20 per week
7	10.5	First - aid Attendant	9.20 per week
8	10.6	Instructors	13.80 per week
9	10.7	Engaged on shoddy-shaking machines (dirt money)	11.00 per week
10	10.8	Polisher machine operators engaged in cleaning of size troughs - Sewing Threads Section	7.40 per week
11	10.9	In the event where proper facilities are not provided for the protection of employees engaged in loading/ unloading soda ash from delivery vehicles by hand	1.01 per hour
12	10.10	Sorting unwashed rags	2.20 per week
13	10.11	Willey hands in waste room	7.40 per week
	10.12	Clean Wool Scouring Pits in an offensive condition	Double ordinary rates
14	10.13	Picking over bales of wool, waste or rags in an offensive Condition	0.89 per bale
15	10.14	Operating flax scutchers, tow on breaker and finisher	6.10 per week
16	13.7	Payment by Results Systems - Employee who also instructs learners - 1st week 2nd week 3rd week continue instructing a learner thereafter	4.60 per week 4.10 per week 3.60 per week 3.60 per week
17	18.2	Meal Allowance For each subsequent meal	6.50 4.75
18	20.8	Change of shift without 2 working days' notice	15.20 extra as compensation

3. This variation shall take effect from the first pay period to commence on or after 23 July 2003.

J. P. MURPHY, Commissioner.

Printed by the authority of the Industrial Registrar.

(608)

SERIAL C2152

TRANSPORT INDUSTRY - WHOLESALE BUTCHERS (STATE) AWARD 2000

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch, industrial organisation of employees.

(No. IRC 4022 of 2003)

Before Commissioner Connor

13 August 2003

VARIATION

1. Delete subclause 10.3 of clause 10, Wages, of the award published 11 May 2001 (324 I.G. 722) and insert in lieu thereof the following:
 - 10.3 The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:
 - (a) any equivalent over award payments, and/or
 - (b) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete Part B, Monetary Rates and insert in lieu thereof the following:

PART B

MONETARY RATES

Table 1 - Wages

Division A - General Rates:

Grade One - Motor Vehicle Driver, Yardman and Articulated Vehicle Driver -

Classification	Former Weekly Wage \$	State Wage Case 2003 \$	New Weekly Wage \$
(A) Motor Vehicle Driver - carrying capacity up to and not exceeding 5½ tonnes	512.50	17.00	529.50
	Additional amount \$		
For each additional tonne or part thereof	4.05	3.2%	4.20

(B) Yardman: (i.e. employee washing vehicles) Weekly Hand	507.50	17.00	524.50
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(Note: The margin prescribed herein for a yardman has been fixed on the basis that his/her ordinary hours of work finish after 5.00 p.m. and at or before midnight on the days Monday to Friday, inclusive).

(C) Articulated Vehicle Driver:

Drivers of articulated vehicles shall receive either:

- (1) the rate of pay as calculated under subclause 10.1 of clause 10, Wages; or
- (2) the rate of pay as calculated under clause 1, Wages, of the Transport Industry (State) Award, whichever is the higher.

Grade Two: Casual Hands and Youth Labour -

(A) Casual Hands:

- (a) Casual employees shall be paid one-fifth of the above weekly rate on a daily basis plus 15 per cent.
- (b) Irrespective of hours worked, a casual employee shall be paid for a minimum of eight hours' work for each start.

(B) Youth Labour:

Any youth employed on work under this award shall be paid the appropriate male rate prescribed in this award for the class of work he/she is performing.

Table 2 - Allowances

Division B - Extra Payments

Item No.	Clause No.	Description	Former Amount \$	New Amount +3.2% \$
1	7.1.4	Washing vehicle allowance	7.45 for each week washing occurs	7.70 per each week washing occurs
2	7.10.1	Unload/assist in unloading of railway trucks. In any week he/she unloads, not less than	0.95 per day for each day 3.25	1.00 for each day 3.35
2A	7.11	Any driver responsible for operating a chiller and/or blower	0.80 per hour	0.85 per hour

Division C - Other Work Related Allowances

3	12	Collecting monies - exceeds \$30 but not over \$150	4.20 per week	4.35 per week
4	12	Collecting monies - exceeds \$150	6.55 per week	6.75 per week

Division D - Reimbursement - type Allowances

5	15.5	Meals	9.35 per day
6	30.1	Clothing	0.80 per day
7	30.5	Boots	0.45 per week
8	31.1	First-aid	1.80 per day

3. This variation shall take effect from the beginning of the first pay period to commence on or after 16 August 2003.

P. J. CONNOR, Commissioner.

Printed by the authority of the Industrial Registrar.

(707)

SERIAL C2036**VAN SALES EMPLOYEES' (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales and the Shop Assistants and Warehouse Employees' Federation of Australia, Newcastle and Northern, New South Wales, industrial organisation of employees.

(Nos. IRC 3201 & 3197 of 2003)

Before Commissioner Ritchie

30 June 2003

VARIATION

1. Delete clause 5, Arbitrated Safety Net Adjustment, of the award published 7 September 2001 (327 I.G. 529), and insert in lieu thereof the following:

5. Arbitrated Safety Net Adjustment

- (a) The rates of pay in this award include the adjustments payable under the State Wage Case May 2003. These adjustments may be offset against:
- (i) any equivalent overaward payments, and/or
 - (ii) award wage increases since 29 May 1991 other than safety net, State Wage Case, and minimum rates adjustments.

2. Delete Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

Classification	Former Rate Per Week \$	SWC 2003 \$	Total Rate Per Week \$
Van Sales Employees Local - In charge of a vehicle with a carrying capacity of:			
up to or equal to 2 tonnes	475.40	17.00	492.40
over 2 and up to 5 tonnes	479.10	17.00	496.10
over 5 tonnes	483.30	17.00	500.30
Van Sales Employees Country - In charge of a vehicle with a carrying capacity of:			
up to or equal to 2 tonnes	490.10	17.00	507.10
over 2 and up to 5 tonnes	494.00	17.00	511.00
over 5 tonnes	498.40	17.00	515.40

The carrying capacity shall be the difference between the tare weight and the aggregate weight as shown on the vehicle registration certificate.

3. Delete Item numbers 1, 6 and 7 of Table 2 - Other Rates and Allowances, of the said Part B, and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	4(ii)	Allowance for driving refrigerated vans	6.50 per week

6	44(vi)	Technical Qualification Allowance	15.40 per week
7	44(vii)	Washing of any vehicle	7.20

4. This variation shall take effect from the first full pay period to commence on or after 30 June 2003.

D. W. RITCHIE, Commissioner.

Printed by the authority of the Industrial Registrar.

(701)

SERIAL C2078**WAREHOUSE EMPLOYEES DRUG (STATE) AWARD**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales and another, industrial organisation of employees.

(No. IRC 3335 and 3336 of 2003)

Before Commissioner Patterson

11 July 2003

VARIATION

1. Delete subclause (d) of clause 12, Wages, of the award published 25 May 2001 (324 I.G. 1181), and insert in lieu thereof the following:
 - (d) The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset:
 - (i) any equivalent over award payments, and/or
 - (ii) award wage increases since 29 May 1991, other than safety net, State Wage Case and minimum rates adjustments.
2. Delete (i) Adult Employees of Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:
 - (i) Adult Employees -

Classification	Former rate per week \$	SWC May 2003 \$	Total rate per week \$
Checker (first 3 months)	470.65	17.00	487.65
Assembler (first 3 months)	470.65	17.00	487.65
Checker	491.50	17.00	508.50
Assembler	491.50	17.00	508.50
Indoor Salesperson	489.80	17.00	506.80
Section Leader	510.30	17.00	527.30
Buyer	510.30	17.00	527.30
Buyer in charge	525.20	17.00	542.20
Department Manager - Second in Charge	525.20	17.00	542.20
Department Manager	566.95	17.00	583.95

This table represents the total rate for each classification after the minimum rates adjustment process is completed.

3. Delete Items 1, 2, 4 and 5 of Table 2 - Other Rates and Allowances, of the said Part B, and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount \$
1	9(e)(i)	Morning or Afternoon Shift Allowance	13.60 per shift
2	9(e)(ii)	Night Shift Allowance	18.36 per shift
4	34(f)	First-aid	2.04 per shift

5	34(g)	Dirty Work, etc.	0.40 per hour
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4. This variation shall take effect from the first full pay period to commence on or after 11 July 2003.

R. J. PATTERSON, Commissioner.

Printed by the authority of the Industrial Registrar.

(702)

SERIAL C2076

WAREHOUSE EMPLOYEES' - GENERAL (STATE) AWARD

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Shop, Distributive and Allied Employees' Association, New South Wales and another, industrial organisation of employees.

(Nos. IRC 3331 and 3332 of 2003)

Before Commissioner Patterson

11 July 2003

VARIATION

1. Delete clause 4, State Wage Case Adjustments, of the award published 23 November 2001 (329 I.G. 860), and insert in lieu thereof the following:

4. State Wage Case Adjustments

The rates of pay in this award include the adjustments payable under the State Wage Case 2003. These adjustments may be offset against:

- (a) any equivalent overaward payments; and/or
 - (b) award wage increases since 29 May 1991, other than safety net, State Wage Case, and minimum rates adjustments.
2. Delete (i) Adult Employees, of Table 1 - Wages, of Part B, Monetary Rates, and insert in lieu thereof the following:

Table 1 - Wages

- (i) Adult Employees -

Group No.	Classification	Former Rate Per Week \$	May 2003 SWC Per Week \$	Total Rate Per Week \$
1	Checker	455.70	17.00	472.70
2	Assembler	455.70	17.00	472.70
3	Replenisher/Stockhand	455.70	17.00	472.70
4	Sorter	455.70	17.00	472.70
5	Wrapper/Tier	455.70	17.00	472.70
6	Indoor Salesperson	455.70	17.00	472.70
7	Department Manager - in charge of:			
	(i) from 1 to 4 Assistants	470.30	17.00	487.30
	(ii) from 5 to 12 Assistants	478.70	17.00	495.70
	(iii) from 13 to 25 Assistants	487.60	17.00	504.60
	(iv) over 25 assistants	492.30	17.00	509.30

Former Rate includes three \$8.00 Arbitrated Safety Net Adjustments, and the August 1997 through to May 2002 SWC adjustments.

3. Delete Items 1, 2 and 4 of Table 2 - Other Rates and Allowances, of the said Part B, and insert in lieu thereof the following:

Item No.	Clause No.	Brief Description	Amount
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			\$
1	3(v)	Allowance for Section Head	8.50 per week
2	3(vi)	Qualified Parts Salesman	14.90 per week
4	25(ii)	First-aid	1.90 per day

4. This variation shall take effect from the first full pay period to commence on or after 12 July 2003.

R. J. PATTERSON, Commissioner.

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SERIAL C2008

BISCUIT, CAKE MAKERS & PASTRYCOOKS &C. (STATE) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch an industrial organisation of employees, for the dissolution and re-establishment of an industrial committee.

(No. IRC 6291 of 2002)

Before The Honourable Justice Peterson

26 November 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Biscuit, Cake Makers & Pastrycooks &c. (State) Industrial Committee published 28 July 2000 (317.I.G.498) be dissolved.
2. There be established a new Biscuit, Cake Makers & Pastrycooks &c. (State) Industrial Committee for the Industries and Callings of:-
 1. Employees in biscuit and cake factories in the State.
 2. Pastrycooks and assistants, all persons employed in making muffins, crumpets, hot plate goods and hamburger buns, pastry packers, carters, grooms, stablemen, yardmen and motor wagon drivers employed in connection therewith in the State, excluding the County of Yancowinna;

excepting

Engine drivers, firemen, greasers, trimmer, cleaners and pumpers engaged in or about the driving of engines, electrical crane, winch, and motor drivers;

Carters, grooms, stablemen, yardmen, and drivers of motor and other power propelled vehicles;

Tinsmiths, and sheet iron workers.

All persons employed by the Sydney County Council;

Employees of the Australian Gas Light Company;

Employees of the North Shore Gas Company Limited

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, one by Australian Business Industrial and one by the Baking Industry Association (N.S.W Employers).
5. The representative of employees shall be appointed, upon nomination as prescribed, by the National Union of Workers, New South Wales Branch.
6. These Orders Shall take effect from 26 November 2002 for a period of three (3) years.

R. J. PETERSON *J.*

Printed by the authority of the Industrial Registrar.

SERIAL C2009

STOREMEN & PACKERS, WHOLESALE PAINT, VARNISH, OIL & COLOUR STORES (STATE) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch an industrial organisation of employees, for the dissolution and re-establishment of an industrial committee.

(No. IRC 6289 of 2002)

Before The Honourable Justice Kavanagh

26 November 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Storemen & Packers, Wholesale Paint, Varnish, Oil & Colour Stores (State) Industrial Committee, published 28 July 2000 (317 I.G.495) be dissolved.
2. There be established a new Storemen & Packers, wholesale Paint, Vanish, Oil & Colour Stores (State) Industrial Committee for the Industries and Callings of: -

Storemen and packers, in paint or colour stores or factories, including storemen and packers who for the purpose of and in the course of their work as storemen and packers, use mechanical or electrical appliance, employed in receiving, stacking, storing, packing and/or preparing for transport or delivery of oil and grease used in the paint and varnish industry, or paint, varnish, white, red or pig lead, colour or other merchandise or goods of any description, in the State, excluding the County of Yancowinna;

excepting employees of

Broken Hill, Proprietary Company Limited at Newcastle;

Australian Wire Industries Pty Ltd at its Newcastle Wiremill

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, one by Employers First and one by Australian Business Industrial.
5. The representative of employees shall be appointed, upon nomination as prescribed, by the National Union of Workers, New South Wales Branch.
6. These Orders shall take effect from 21 November 2002 for a period of three (3) years.

T. M. KAVANAGH J.

Printed by the authority of the Industrial Registrar.

SERIAL C2011

STOREMEN & PACKERS, WHOLESALE OIL & PETROLEUM PRODUCTS (STATE) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch an industrial organisation of employees, for the dissolution and re-establishment of an industrial committee.

(No. IRC 6292 of 2002)

Before The Honourable Justice Kavanagh

26 November 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Storemen & Packers, Wholesale Oil & Petroleum Products (State) Industrial Committee published on 28 July 2000 (317 I.G. 494) be dissolved.
2. There be established a new Storemen & Packers, Wholesale Oil & Petroleum Products (State) Industrial Committee for the Industries and Callings of:-

Storemen and packers, including storemen and packers who, for the purpose of and in the course of their work as storemen and packers, use mechanical or electrical appliances, mobile cranes, forklifts, tractors, tow motors, industrial trucks, yard trucks or utility vehicles, employed in wholesale oil stores in receiving, stacking, storing packing, handling petroleum products, packages, equipment or merchandise of any kind whatsoever in or in connection with a petroleum and/or oil merchant's business, including the cleaning and painting and stencilling or labelling, whether by hand or by spray gun of all petroleum products packages and the blending and compounding of oils, spirits, greases and products of a like nature but excluding refining processes, in the State, excluding the county of Yancowinna;

excepting employees of -

Broken Hill Proprietary Company Limited at Newcastle
Australian Wire Industries Pty Ltd at its Newcastle Wiremill

3. The said Industrial Committee shall consist of three (3) representatives of employers and three (3) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, one by Mobil Oil Australia Limited; one by Shell Company of Australia Limited; and one by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, by the National Union of Workers, New South Wales Branch.
6. These Orders shall take effect from 21 November 2002 for a period of three (3) years.

T. M. KAVANAGH J.

Printed by the authority of the Industrial Registrar.

SERIAL C2014

STARCH & CONDIMENT MAKERS &C. (STATE) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by National Union of Workers, New South Wales Branch an industrial organisation of employees, for the dissolution and re-establishment of an industrial committee.

(No. IRC 6295 of 2002)

Before The Honourable Justice Peterson

26 November 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Starch & Condiment Makers &c. (State) Industrial Committee published on 28 July 2000 (317 I.G. 497) be dissolved.
2. There be established a new Starch & Condiment Makers &c. (State) Industrial Committee for the Industries and Callings of:-

EMPLOYEES EMPLOYED IN:

Grain mills (other than wheaten flour mills);
Cereal food and starch mill;
Coffee mills;
Wholesale grocery stores and factories;

AS WELL AS EMPLOYEES ENGAGED IN;

The manufacture of stove, boot and floor polishes;
The manufacture of macaroni, vermicelli, spaghetti, cake and pudding mixes;
The manufacture of hydrolysed vegetable protein, noodles, soup powders or tablets, junket powders or tablets, caramel powder, glucose, dextrin and self-raising flour;
The handling or putting up of honey, butter (not in butter factories), processed cheese (not other cheese factories) and junket tablets;
The manufacture of cream of tartar, tartaric acid and any by-products thereof; the grinding of drugs and spices;
Condiment makers, chicory roasters, malt roasters, peanut roasters custard mixers and jelly blenders;

excepting:

Engine drivers and firemen, greasers, trimmers, cleaners and pumpers engaged in or about the driving of engines;
Drivers of motor bikes and other motor or power-propelled vehicles used for the carriage of articles of merchandise;

and excepting;

Those employees within the jurisdiction of the Jam, Vinegar, Sauce & C. Manufacture (State) Industrial Committee;
Employees employed by milk vendors

and excepting;

The County of Yancowinna.

3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, two by Australian Business Industrial.
5. The representatives of employees shall be appointed, upon nomination as prescribed, by the National Union of Workers, New South Wales Branch.
6. These Orders shall take effect from 26 November 2002 for a period of three (3) years.

R. J. PETERSON *J.*

Printed by the authority of the Industrial Registrar.

SERIAL C2015

TRANSPORT INDUSTRY (STATE) INDUSTRIAL COMMITTEE

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch an industrial organisation of employees, for the dissolution and re-establishment of an industrial committee.

(No. IRC 7059 of 2001)

Before The Honourable Justice Peterson

18 December 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Transport Industry (State) Industrial Committee published on 2 September 1996 (294 I.G. 1061) be dissolved.
2. There be established a new Transport Industry (State) Industrial Committee for the Industries and Callings of:-

All drivers and loaders of trolleys, drays, carts, floats, articulated or semi-articulated vehicles and trailers and motor and other power-propelled vehicles, including motor cycles engaged in the carriage of goods, merchandise and the like, together with bicycle couriers, employees engaged in greasing or washing any such vehicle, employees without supervisory or other duties beyond those of loading or unloading vehicles employed by common carriers or who are not engaged upon or in connection with the premises of the employer, not being a common carrier, and employees of common carriers receiving, sorting and loading or unloading goods for delivery or re-delivery, carters, tip carters and tip wagon drivers, brakemen or extra hands, trace boys, and all grooms, stablemen and yardmen employed in connection with any of the above, and drivers of mobile cranes, auto trucks and fork lifts employed by general carriers in connection with the carriage of goods, merchandise and the like, employees driving or operating mobile cranes, fork lifts, tractors, tow motors, industrial trucks, yard trucks or utility vehicles in and about wholesale oil stores, persons, other than storemen and packers, employed in the loading, stacking and unloading of railway trucks, in the State, excluding the County of Yancowinna, but including motor lorry drivers employed by the roads and Traffic Authority in or in connection with the construction or maintenance of roads and bridges in that part of the County of Yancowinna which is outside the Municipality of Broken Hill;

and

Brick, tile & pottery carters, timber carters and dry cleaning & laundry carters, including drivers of motor and other power – propelled vehicles

and grooms, stablemen, yardmen, trace boys and brakemen or extra hands employed in or in connection therewith in the State, excluding the County of Yancowinna;

and

Chauffeurs and motor car drivers employed on motor coaches, cars and all motor vehicles, used for purpose of carrying passengers, persons or workmen notwithstanding such vehicles are not plying for hire, provided such vehicles are normally capable of carrying less than eight sitting passengers or persons, in the State, excluding the Country of Yancowinna, excepting drivers of motor wagons which are not used for the purpose of conveying passengers or workmen, and employees who are not engaged in business or trade;

excepting employees of –

State Rail Authority of New South Wales
State Transit Authority of New South Wales;
Sydney Water;
The Hunter District Water Board;

The Council of the City of Sydney;
 Sydney Electricity;
 The Council of the City of Newcastle;
 Municipal, Shire and County Councils;
 Electricity Commission of New South Wales (Pacific Power);
 The Australian Gas Light Company;
 Prospect Electricity;
 South Maitland Railways Pty Limited;
 Blue Circle Southern Cement Limited;
 Australian Iron and Steel Proprietary Limited, within the jurisdiction of the Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited)
 Industrial Committee and the Quarries (Australian Iron and Steel Pty Limited) Industrial Committee;

and excepting also employees within the jurisdiction of the following Industrial Committees -

Transport Industry – Mixed Enterprises (State);
 Transport Industry – Quarried Materials (State);
 Steel Works Employees (Broken Hill Proprietary Company Limited);
 Quarries, &c., (Broken Hill Proprietary Company Limited);
 Iron and Steel Works Employees (Australian Iron & Steel Proprietary Limited);
 Quarries (Australian Iron and Steel Pty Limited);
 Australian Wire Industries Pty Ltd – Newcastle Wiremill;
 Smelting, &c., (Electrolytic R. & S. Company, &c.);
 Smelting and Fertilizer Manufacturing (Sulphide Corporation Pty Limited and Greenleaf Fertilizers Limited);
 Cement Workers, &c., (State);
 John Lysaght (Australia) Limited Port Kembla;
 John Lysaght (Australia) Limited Newcastle;
 John Lysaght (Australia) Limited Unanderra;
 Australian Wire Industries Pty Ltd – Newcastle Ropery;
 Australian Wire Industries Pty Ltd – Sydney Wiremill;
 Sugar Workers (CSR Limited, Pymont);
 Carters, &c., Retail Stores (State);
 Carters &c., (Sydney Daily Newspapers);
 Waste Industry – Collection and Transportation of Trade Waste (State);
 Transport Industry – Wood and Coal (State);
 Transport Industry – Wholesale Butchers (State);
 Waste Industry Collection and Transportation Recycling and Disposal;
 Colliery Mechanics (North);
 Colliery Mechanics (South);
 Colliery Mechanics (West);
 Metalliferous Mining (State);
 Engine Drivers, &c., Metalliferous Mining (State);
 Butchers, Retail (State);
 Butchers, Wholesale (Country);
 Butchers, Wholesale (Cumberland);
 Smallgoods Manufacturers (State);
 Milk Treatment, &c., and Distribution (State);
 Aerated Waters, &c., (State);
 Cold Storage & c., Employees (State);
 Cold Storage, &c., Employees (Northumberland);
 Bread Industry (State);
 Pastrycooks, &c., (State);
 Motor Car Washers, &c., (State);
 Quarries, Gravel and Sand Pits (State);
 Butter, &c., Factory Employees (Newcastle and Northern);
 Butter, &c., Factory Employees (State);
 Fruit Packing Houses Employees (State);

Malted Milk Manufacturing (State);
Sawmillers, &c., (State);
Sugar Manufacturers (State);
Tubemakers of Australia Limited, Newcastle
Tubemakers of Australia Limited, Yennora;
Shoalhaven Scheme;
Googong Dam Project;
Country Councils (Electricity Undertakings) Employees;
Shortland County Council;
University Employees, &c., (State);

excepting employees also -

Motor lorry drivers, assistants, loaders, washers and greasers employed by breweries;

Persons coming within the jurisdiction of the Crown employees (Skilled Tradespersons) Industrial Committee.

2. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
3. The representatives of employers shall be appointed, upon nomination as prescribed, by the New South Wales Road Transport Association.
4. The representatives of employees shall be appointed, upon nomination as prescribed, by the Transport Workers' Union of Australia, New South Wales Branch.
5. These Orders shall take effect from 18 December 2002 for a period of three (3) years.

R. J. PETERSON *J.*

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SERIAL C2019

**TRANSPORT INDUSTRY-WHOLESALE BUTCHERS (STATE)
INDUSTRIAL COMMITTEE**

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Application by Transport Workers' Union of Australia, New South Wales Branch, an industrial organisation of employees for the dissolution and re-establishment of an industrial committee.

(No. IRC 4985 of 2002)

Before The Honourable Justice Peterson

27 November 2002

ORDER

The Commission orders that -

1. The Industrial Committee, known as the Transport Industry – Wholesale Butchers (State) Industrial Committee, published on 2 April 1996 (293 I.G. 1096) be dissolved.
2. There be established a new Transport Industry – Wholesale Butchers (State) Industrial Committee for the Industries and Callings of:-

Carters, grooms, stablemen and stablewomen, and yardmen and yardwomen, including drivers of motor and other power-propelled vehicles, brakespersons or extra hands employed in the wholesale transport and delivery of meat from abattoirs, slaughterhouses and wholesale meat depots throughout the State, including the Counties of Cumberland and Yancowinna.

Excepting employees of the City of Newcastle on the wages staff at the Newcastle Abattoir and employees employed in the transport of meat solely to the retail shop or shops of their employer.
3. The said Industrial Committee shall consist of two (2) representatives of employers and two (2) representatives of employees.
4. The representatives of employers shall be appointed, upon nomination as prescribed, two by the National Meat Association of Australia.
5. The representatives of employees shall be appointed, upon nomination as prescribed, two by the Transport Workers' Union of Australia, New South Wales Branch.
6. These Orders shall take effect from 11 December 2002 for a period of three (3) years.

R. J. PETERSON *J.*

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