

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1999* – s. 287 – application for declaration of a general ruling  
s. 288 – application for declaration of policy

**Queensland Council of Unions AND Queensland Chamber of Commerce and Industry Limited, Industrial Organisation of Employers and Others (No. B753 of 2002) AND The Australian Workers' Union of Employees, Queensland AND Queensland Chamber of Commerce and Industry Limited, Industrial Organisation of Employers and Others (No. B755 of 2002)**

PRESIDENT HALL  
VICE PRESIDENT LINNANE  
COMMISSIONER EDWARDS

7 August 2002

DECLARATION OF GENERAL RULING

This Commission declares by way of a General Ruling that all awards be amended to include the following provisions:

**1. Arbitrated Wage Adjustment**

(a) Except as otherwise provided herein the wages or salaries prescribed by all awards for full-time adult employees shall be increased from 1 September 2002 by an additional sum of the following amounts per week by way of wages:

- an \$18 per week increase in existing award rates.

(b) The rates for junior employees shall be increased by applying the percentage in the junior wage rates clause applicable to the employee concerned to the relevant minimum classification rate for a full-time adult employee.

(c) All part-time employees shall receive, on a *pro rata* basis, the additional sum appropriate to the minimum classification rate they are employed under.

(d) The rates for adult pieceworkers shall be adjusted by the Registrar in accordance with the practice previously followed in relation to General Rulings declared by this Commission.

(e) In the case of rates of wages or salaries for adult employees expressed as a wage or salary for a period other than a week, the increase consequent upon this Declaration shall be calculated as follows:

For:	Annual Salaries	weekly adjustment multiplied by 52
	Fortnightly Wage/Salary	weekly adjustment multiplied by 2
	Daily Wage	weekly adjustment divided by 5
	Hourly Wage (40 hour week)	weekly adjustment divided by 40
	(38 hour week)	weekly adjustment divided by 38
	Casual Rates* (hourly)	hourly wage (as calculated above) plus 25%
	(daily)	daily wage (as calculated above) plus 25%

(\*This would apply when the casual rate is stated as a money amount)

(f) Each award amended to include the rates of pay arising from this Declaration of General Ruling shall include a notation that:

*“The rates of pay in this Award are intended to include the arbitrated wage adjustment payable under the 1 September 2002 Declaration of General Ruling and earlier Safety Net Adjustments and arbitrated wage adjustments. [Disputed cases are to be referred to the President.] This arbitrated wage adjustment may be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this Award which are above the wage rates prescribed in the Award. Such payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, Queensland workplace agreements, award amendments to give effect to enterprise agreements and overaward arrangements. Absorption which is contrary to the terms of an agreement is not required.*

*Increases made under previous State Wage Cases or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated wage adjustments.”*

(g) Existing allowances in all awards that relate to work or to conditions which have not changed and service increments are to be increased as from 1 September 2002 by 3.5%. This is the percentage increase that the \$18 per week arbitrated wage adjustment bears to the C10 tradesperson's rate in the Engineering Award – State.

(h) Increases to wages or salaries and allowances shall be expressed as follows:

- on annual salaries to the nearest \$1 (with 50c and above being taken upwards);
- on fortnightly and weekly wage rates to the nearest 10 cents (with 5c and above being taken upwards);
- on daily wage rates (including casual) to the nearest 1 cent (with 0.5c and above being taken upwards); and
- on hourly wage rates (including casual) to the nearest 0.05 of a cent (with 0.025c and above being taken upwards).

(i) In giving effect to this General Ruling, the Registrar shall have recourse to a Member of the Full Bench, as may be necessary, on the Registrar's own initiative or an application by a party to an award.

(j) Awards which prescribe or require alternative methods of adjustment shall be adjusted as follows:

Where a member of the Commission has approved a method of calculation of wage rates as agreed to by the parties to an award other than as expressed herein the Registrar may amend the Award concerned in the agreed manner which will be regarded as satisfying the requirements of this General Ruling.

This method shall also be applied to adjust the rates of wages or salaries for junior employees (other than juniors whose rates are expressed as a percentage or fraction of the rate prescribed for an adult employee or for an employee who is a senior).

**2. Date of Operation**

This Declaration shall apply from 1 September 2002.

Dated 7 August, 2002.

By the Commission,  
[L.S.] E. EWALD,  
Industrial Registrar.

Operative date: 1 September 2002  
Order – Safety Net Adjustment – Declaration of General Ruling  
Released: 7 August 2002