

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 2016

Brisbane City Council Operational and Trade Employees Award – State 2016

Matter No. B/2021/51, B/2021/58 and B/2021/59

REPRINT OF AWARD UNDER SECTION 980

Certification of Reprint

Following the general ruling made by the Commission in the 2021 State Wage Case, the *Brisbane City Council Operational and Trade Employees Award – State 2016* is hereby reprinted, under s 980 of the *Industrial Relations Act 2016*.

I hereby certify that the Award contained herein is a true and correct copy of the *Brisbane City Council Operational and Trade Employees Award – State 2016* as at 1 September 2021.

Name of modern award: *Brisbane City Council Operational and Trade Employees Award – State 2016*

Operative date of the modern award reprint: 1 September 2021

Operative date of modern award: As per clause 2 of the modern award

By the Registrar

M. SHELLEY

1 September 2021

BRISBANE CITY COUNCIL OPERATIONAL AND TRADE EMPLOYEES AWARD – STATE 2016

Table of Contents

Page

| | | |
|--|-----------|-----------|
| PART 1 - Title and Operation | 4 | 4 |
| 1. Title..... | 4 | 4 |
| 2. Operation | 4 | 4 |
| 3. Definitions and interpretation..... | 4 | 4 |
| 4. Coverage..... | 5 | 5 |
| 5. The Queensland Employment Standards and this Award | 6 | 6 |
| 6. Enterprise flexibility and facilitative award provisions..... | 6 | 6 |
| PART 2 - Dispute Resolution | 7 | 7 |
| 7. Grievances and disputes | 7 | 7 |
| PART 3 - Types of Employment, Consultation and Termination of Employment..... | 8 | 8 |
| 8. Types of employment | 8 | 8 |
| 9. Termination of employment | 10 | 10 |
| 10. Redundancy | 11 | 11 |
| 11. Consultation - Introduction of changes | 13 | 13 |
| PART 4 - Minimum Wage Levels, Allowances and Related Matters | 14 | 14 |
| 12. Classifications and minimum wage levels | 14 | 14 |
| 13. Allowances | 15 | 15 |
| 14. Superannuation | 31 | 31 |
| PART 5 - Hours of Work and Related Matters | 32 | 32 |
| 15. Hours of duty | 32 | 32 |
| 16. Meal breaks | 35 | 35 |
| 17. Rest pauses | 35 | 35 |
| 18. Overtime | 35 | 35 |
| PART 6 - Leave of Absence and Public Holidays | 43 | 43 |
| 19. Annual leave | 43 | 43 |
| 20. Personal leave | 44 | 44 |
| 21. Parental leave..... | 45 | 45 |
| 22. Long service leave | 46 | 46 |

| | | |
|--|--|-----------|
| 23. | Public holidays | 46 |
| 24. | Jury service..... | 47 |
| PART 7 - Transfers, Travelling and Working Away from Usual Place of Work..... | | 47 |
| 25. | Excess travelling time and fares | 47 |
| PART 8 - Training and Related Matters | | 48 |
| 26. | Training arrangements and career path development..... | 48 |
| PART 9 - Occupational Health and Safety Matters, Equipment, Tools and Amenities | | 49 |
| 27. | Workplace health and safety | 49 |
| 28. | Equipment, tools and amenities..... | 50 |
| PART 10 - Union Related Matters | | 51 |
| 29. | Union encouragement..... | 51 |
| 30. | Union delegates | 51 |
| 31. | Industrial relations education leave | 51 |
| 32. | Right of entry..... | 52 |
| Schedule 1 - Owner Drivers | | 55 |
| Schedule 2 - Classification and Operating Principles - Operational Services Employees | | 58 |
| Schedule 3 - Classification and Operating Principles - Miscellaneous Workers | | 60 |
| Schedule 4 - Classification and Operating Principles - Plant Operators..... | | 62 |
| Schedule 5 - Definitions and Position Descriptors - Operational Services Employees..... | | 64 |
| Schedule 6 - Definitions and Position Descriptors - Building Trades Employees..... | | 67 |
| Schedule 7 - Procedures for Classification and Reclassification of Employees - Building Trades Employees | | 72 |
| Schedule 8 - Definitions and Position Descriptors - Engineering/Electrical Trades Employees | | 74 |
| Schedule 9 - Procedures for Classification and Reclassification of employees - Engineering/Electrical Trades Employees..... | | 87 |
| Schedule 10 - Conversion of Casual Employment - Engineering/Electrical Trades Employees | | 89 |
| Schedule 11 - Definitions and Position Descriptors - Miscellaneous Workers..... | | 91 |
| Schedule 12 - Definitions and Position Descriptors - Plant Operators | | 93 |

PART 1 - Title and Operation

1. Title

This Award is known as the *Brisbane City Council Operational and Trade Employees Award – State 2016*.

2. Operation

This Award, made on 7 October 2016, operates from 1 March 2017.

3. Definitions and interpretation

Unless the context otherwise requires, in this Award:

Act means the *Industrial Relations Act 2016*

afternoon shift means:

- for Operational services employees - a shift that commences at or after 1200 and before 1800; and
- for all other employees - a shift finishing after 1800 and at or before midnight, or where the majority of hours fall between those hours

Australian Qualifications Framework (AQF) means the National System of Recognition for the issue of vocational qualifications

Building trades employee means an employee who undertakes the type of work described in Schedule 6 and who has been classified to a wage level in accordance with that Schedule

Commission means the Queensland Industrial Relations Commission

continuous shift work means work done by employees where the hours of work are regularly rotated in accordance with a shift roster covering 24 hours per day over a 7 day week

Council means Brisbane City Council

day means a specified calendar day or date which spans 24 hours from midnight to midnight

double rates means double the applicable rate

double time means the ordinary time rate as defined herein, multiplied by 2

double time and one-half means the ordinary time rate as defined herein, multiplied by 2.5

Engineering/Electrical trades employee means an employee who undertakes the type of work described in Schedule 8 and who has been classified to a wage level in accordance with that Schedule

Miscellaneous Worker means an employee who would typically be expected to undertake, in whole or in part, the type of work described in the "Introduction" to Schedule 11 and who has been classified to a wage level in accordance with that Schedule

night shift means:

- for Operational services employees - a shift that commences at or after 1800 and before 0600; and

- for all other employees - a shift finishing subsequent to midnight and at or before 0800, or where the majority of hours fall between those hours

non-continuous shift work means work regularly rotated in accordance with a roster which prescribes 2 or more shifts (day, afternoon or night) per day, but does not cover a 24 hour per day operation over a 7 day week (see continuous shift work)

Operational services employee means an employee who would typically be expected to undertake, in whole or in part, the type of work described in the "Introduction" to Schedule 5 and who has been classified to a wage level in accordance with that Schedule

ordinary time rate means the classification rate of pay prescribed in this Award for the employee, divided by 38

Plant Operator means an employee who undertakes the type of work described in Schedule 12 and who has been classified to a wage level in accordance with that Schedule

QES means Queensland Employment Standards contained in Part 3 of Chapter 2 of the Act

registered medical practitioner means a medical practitioner registered with the Medical Board of Australia, but shall not include the services of osteopaths, chiropractors, acupuncturists, naturopaths, herbalists and homeopaths

rostered day off means a day on which an employee is not rostered for duty as a result of time accrued under a method of working ordinary hours implemented in accordance with clause 15.1

shift work means work performed by an employee on day shift, afternoon shift or night shift, either solely or in any combination thereof, as part of a non-continuous shift work system or a continuous shift work system

time and one-half means the ordinary time rate as defined herein, multiplied by 1.5

union means one of the industrial organisations of employees mentioned in clause 4(c)

week means a period of seven successive days

4. Coverage

This Award applies to:

- (a) all employees of Council who are engaged as an:
 - (i) Operational services employee;
 - (ii) Building trades employee;
 - (iii) Engineering/Electrical trades employee;
 - (iv) Miscellaneous Worker; and
 - (v) Plant Operator,and for whom classifications and rates of wages are prescribed herein; and
- (b) Brisbane City Council in its capacity as the employer of such employees; and
- (c) the following industrial organisation of employees in accordance with their callings:
 - (i) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;

- (ii) Construction, Forestry, Mining and Energy Industrial Union of Employees, Queensland;
 - (iii) Electrical Trades Union of Employees Queensland;
 - (iv) Plumbers and Gasfitters Employees Union of Queensland, Union of Employees;
 - (v) The Australian Workers' Union of Employees, Queensland;
 - (vi) Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
 - (vii) United Voice, Industrial Union of Employees, Queensland,
- to the exclusion of any other award.

5. The Queensland Employment Standards and this Award

This Award together with the QES provide for a minimum safety net of enforceable conditions of employment for employees covered by this Award.

6. Enterprise flexibility and facilitative award provisions

6.1 Enterprise flexibility

- (a) As part of a process of improvement in productivity and efficiency, discussion should take place at an enterprise level to provide more flexible working arrangements, improvement in the quality of working life, enhancement of skills, training and job satisfaction and to encourage consultative mechanisms across the workplace.
- (b) The consultative processes established in an enterprise in accordance with clause 6.1 may provide an appropriate mechanism for consideration of matters relevant to clause 6.1(a). Union delegates at the place of work may be involved in such discussions.
- (c) Any proposed genuine agreement reached between the Council and employees in an enterprise is contingent upon the agreement being submitted to the Commission in accordance with Chapter 4 of the Act and is to have no force or effect until approval is given.

6.2 Procedures to implement facilitative award provisions

Wherever facilitative provisions appear in this Award which allow for determination of the conditions of employment by agreement between the Council and the union, or the Council and the majority of employees affected, the following procedures shall apply:

- (a) Facilitative award provisions can be negotiated between management and employees who are directly affected by such proposals or between management and the union depending on the particular award provisions.
- (b) Employees may be represented by their local union delegate/s and shall have the right to be represented by their local union official/s.
- (c) Facilitative award provisions can only be implemented by agreement.
- (d) In determining the outcome from facilitative provisions neither party should unreasonably withhold agreement.
- (e) Agreement is defined as obtaining consent of greater than 50% of employees directly affected or of the union depending upon the particular award provisions.

- (f) Where a provision refers to agreement by the majority of employees affected, all employees directly affected shall be consulted. This consultation shall be undertaken where practicable as a group, or in groups. Should the consultation process identify employees with specific concerns which relate to either equity or occupational health and safety issues, such concerns may be catered for on an individual basis subject to operational requirements.
- (g) Any agreement reached must be documented and shall incorporate a review period.
- (h) Where the agreement relates to either the working of ordinary hours on other than a Monday to Friday basis, the introduction of shift work or a change to the shift roster, the relevant union/s are to be notified in writing at least one week in advance of agreement being sought.

PART 2 - Dispute Resolution

7. Grievances and disputes

- (a) This grievance and dispute avoidance procedure aims to avoid industrial disputes or, where a dispute occurs, to provide a means of settlement based on consultation, cooperation and discussion and the avoidance of interruption to work performance.
- (b) During any dispute, other than a workplace health and safety matter, the *status quo* existing immediately prior to the matter giving rise to the dispute will remain and work shall continue as it was prior to the dispute without stoppage or the imposition of any ban, limitation or restriction.
- (c) No party shall be prejudiced as to final settlement by the continuance of work in accordance with this clause.
- (d) Any grievance or dispute shall be handled as follows:
 - Stage 1: Discussions between the employee/s and their team leader and at the request of the relevant union, shop steward/delegate.
 - Stage 2: Discussions involving the employee/s, the shop steward/s and relevant union secretary/organiser or nominated delegate/s with the relevant line manager and a human resource consultant or other person nominated by the Manager, Workplace Relations.
 - Stage 3: Discussions involving relevant union secretary/organiser or nominated delegate/s with their Divisional Manager and Manager, Workplace Relations or nominated delegate/s.
- (e) A dispute shall not be referred to the next stage until a genuine attempt to resolve the matter has been made at the appropriate level.
- (f) There shall be a commitment by the parties to achieve adherence to this procedure, including the earliest possible advice by one party to the other of any issue or problem which may give rise to a grievance or dispute. Throughout all stages of the procedure, all relevant facts shall be clearly identified and recorded.
- (g) Sensible time limits shall be allowed for the completion of the various stages of the discussions. Discussions outlined in stages 1 and 2 of clause 7(d) should, if possible, take place within 24 hours after the request of the employee or the employee's representative. At least seven days should be allowed for all stages of the discussions to be finalised.
- (h) Emphasis shall be placed on a negotiated settlement. However, if the negotiation process is exhausted without the dispute being resolved, the parties shall jointly or individually refer the matter to the Commission for resolution.

- (i) In order to allow for peaceful resolution of grievances, the parties shall be committed to avoid stoppages of work, lockouts or any other bans or limitations on the performance of work, while the procedures of negotiation and conciliation are being followed.
- (j) The parties shall ensure that all practices applied during the operation of the procedure are in accordance with safe working practices and consistent with established custom and practice at the workplace.

PART 3 - Types of Employment, Consultation and Termination of Employment

8. Types of employment

An employee may be engaged on a full-time, part-time or casual basis. Employees shall be advised in writing of their employment category and classification level upon engagement.

8.1 Full-time employment

A full-time employee is an employee who is engaged to work an average of 38 ordinary hours per week in accordance with clause 15.1.

8.2 Part-time employment

- (a) A part-time employee is an employee who:
 - (i) is engaged to work for a fixed number of ordinary hours each week that are less than those of a full-time employee; and
 - (ii) receives, on a *pro rata* basis, the same wages and conditions of employment to those of an equivalent full-time employee who performs the same kind of work.
- (b) A part-time employee may work a maximum of five days of the week in completing their weekly hours but there shall be no requirement to work on successive days.
- (c) For each ordinary hour worked a part-time employee shall be paid no less than 1/38th of the minimum weekly rate of pay for their classification with a minimum payment of 3 hours work for each day worked.
- (d) Before commencing part-time employment, the Council and the employee must agree upon the hours to be worked by the employee, the days upon which they will be worked and the commencing and finishing times.
- (e)
 - (i) By mutual agreement with the Council, a part-time employee may elect to work additional ordinary hours above their regular hours, up to and including full-time equivalent hours. The additional hours so worked are to be taken into account in the *pro rata* calculation of all leave and other entitlements.
 - (ii) Any such additional ordinary hours are to be treated as follows:
 - (A) day workers - additional hours worked within the spread of ordinary hours prescribed in clause 15.2 are to be paid for at the rate prescribed in clause 15.3;
 - (B) shift workers - to be paid for at the rate prescribed in clause 15.5.
- (f) All time worked in excess of the agreed hours or outside the established spread of ordinary hours shall be paid at the appropriate overtime rate.

- (g) The ordinary daily working hours for a part-time Operational services employee or Plant Operator shall not exceed 8 hours 27 minutes to be worked between 0600 and 1800 Monday to Friday.
- (h) An Operational services employee's weekly schedule of working hours may be changed with reasonable notice.

8.3 Casual employment

- (a) A casual employee is one engaged and paid as such. Each engagement stands alone with a minimum payment as provided in clause 8.3(d). A casual employee may be engaged where required by the Council.
- (b) A casual employee is entitled to receive, on a *pro rata* basis, the same pay and conditions of employment, other than leave entitlements, to those of an equivalent full-time employee who performs the same kind of work.
- (c) For each ordinary hour worked a casual employee shall be paid no less than 1/38th of the minimum weekly rate of pay for their classification plus a casual loading of 23%. This loading is not an all purpose payment for Engineering/Electrical trade employees.
- (d) The minimum engagement of a casual employee Monday to Friday, inclusive, shall be:
 - Operational services 3 hours
 - Building trades 3 hours
 - Engineering/Electrical trades 3 hours
 - Miscellaneous Workers 2 hours
 - Plant Operators 3 hours
- (e) Overtime penalties for casual employees will apply when working in excess of the daily hours prescribed below:
 - (i) a casual employee working standard hours (i.e. 38 hours over five days per week): 7 hours and 36 minutes per day;
 - (ii) a casual employee working 76 hours over nine days: 8 hours and 27 minutes per day;
 - (iii) a casual employee working 38 hours over four days: 9 hours and 30 minutes per day.
- (f) A casual employee shall be paid a minimum of 3 hours for each engagement on a Saturday or Sunday at the ordinary time rate plus the loading as described in clause 8.3(c).
- (g) All ordinary time worked on Saturday by a casual car park attendant in excess of 4 hours shall be paid at the rate of time and one-quarter.
- (h) The long service leave entitlement of casual employees is prescribed in clause 22.
- (i) For Engineering/Electrical trades employees, Schedule 10 contains provisions about conversion from casual employment to full-time or part-time employment.

8.4 Anti-discrimination

- (a) In fulfilling their obligations under this Award, the parties must take reasonable steps to ensure that neither the Award provisions nor their operation are directly or indirectly discriminatory in their effects. Discrimination includes:

- (i) discrimination on the basis of sex, relationship status, family responsibilities, pregnancy, parental status, breastfeeding, age, race, impairment, religious belief or religious activity, political belief or activity, trade union activity, lawful sexual activity, gender identity, sexuality and association with, or in relation to, a person identified on the basis of any of the above attributes;
 - (ii) sexual harassment; and
 - (iii) racial and religious vilification.
- (b) Nothing in clause 8.4 is to be taken to affect:
- (i) any different treatment (or treatment having different outcomes) which is specifically exempted under the *Anti-Discrimination Act 1991*;
 - (ii) an employee, employer or registered organisation, pursuing matters of discrimination, including by application to the Australian Human Rights Commission/Anti-Discrimination Commission Queensland.

9. Termination of employment

9.1 Notice of termination by the Council

Notice of termination by the Council is provided for in Division 13 of the QES. Clauses 9.2 to 9.5 supplement the QES provisions.

9.2 Notice of termination by an employee

Unless otherwise agreed between the employer and an employee the notice of termination required by an employee, other than a casual employee, will be one week's notice in writing of the termination of employment shall be provided by the employee or in lieu thereof a maximum of one week's wages shall be paid or forfeited. If an employee fails to give the required notice the Council will have the right to withhold monies due to the employee with a maximum amount equal to the ordinary time rate of wage for the period of notice not provided.

9.3 Notice cannot be offset

In the absence of mutual agreement between the Council and the employee, annual leave or any part thereof cannot be considered as or nominated as notice for the purpose of giving notice of termination of employment.

9.4 Job search entitlement

Where the Council has given notice of termination to an employee, other than a casual, for reasons other than redundancy, the employee must be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. The time off is to be taken at times that are convenient to the employee after consultation with the Council.

9.5 Statement of employment

The Council shall, in the event of termination of employment, provide upon request to an employee who has been terminated a written statement specifying the period of employment and the classification or type of work performed by the employee.

10. Redundancy

10.1 Redundancy pay

Redundancy pay is provided for in Division 13 of the QES. Clauses 10.2 to 10.9 supplement the QES provisions.

10.2 Consultation before termination

- (a) Where the Council decides that the Council no longer wishes the job an employee/s has been doing to be done by anyone, and this is not due to the ordinary and customary turnover of labour, and that decision may lead to termination of employment, the Council shall consult the employee/s directly affected and, where relevant, their union/s.
- (b) The consultation shall take place as soon as it is practicable after the Council has made a decision which will invoke the provisions of clause 10.2(a) and shall cover the reasons for the proposed terminations and measures to avoid or minimise the terminations and/or their adverse effects on the employee/s concerned.
- (c) For the purpose of the consultation the Council shall, as soon as practicable, provide in writing to the employee/s concerned and, where relevant, their union/s, all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected, the number of workers normally employed and the period over which the terminations are likely to be carried out.
- (d) Notwithstanding the provision of clause 10.2(c), the Council shall not be required to disclose confidential information, the disclosure of which would be adverse to the Council's interests.

10.3 Transfer to lower paid duties

- (a) Where an employee is transferred to lower paid duties by reason of redundancy 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 under the redundancy pay provisions of the QES.
- (b) The Council may, at the Council's option, make payment in lieu thereof of an amount equal to the difference between the former amounts the Council would have been liable to pay and the new lower amount the Council is liable to pay the employee for the number of weeks of notice still owing.
- (c) The amounts must be worked out on the basis of:
 - (i) the ordinary working hours to be worked by the employee; and
 - (ii) the amounts payable to the employee for the hours including, for example, allowances, loadings and penalties; and
 - (iii) any other amounts payable under the employee's employment contract.

10.4 Employee leaving during notice period

An employee given notice of termination in circumstances of redundancy may terminate their employment during the period of notice. The employee is entitled to receive the benefits and payments they would have received under this clause had they remained in employment until the expiry of the notice, but is not entitled to payment instead of notice.

10.5 Job search entitlement

- (a) An employee given notice of termination in circumstances of redundancy must be allowed up to one day's time off without loss of pay during each week of notice for the purpose 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 must, at the request of the Council, produce proof of attendance at an interview or the employee will not receive payment for the time absent. For this purpose a statutory declaration will be sufficient.
- (c) Clause 10.5 applies instead of clause 9.4 in cases of redundancy.

10.6 Transmission of business

- (a) Where a business is, whether before or after the date of commencement of this Award, transmitted from the Council (transmittor) to another employer (transmittee) and an employee who at the time of such transmission was an employee of the transmittor of the business becomes an employee of the transmittee:
 - (i) the continuity of the employment of the employee shall be deemed not to have been broken by reason of such transmission; and
 - (ii) the period of employment which the employee has had with the transmittor or any prior transmittor shall be deemed to be service of the employee with the transmittee.
- (b) In clauses 10.6 and 10.7, 'business' includes trade, process, business or occupation and includes a part or subsidiary (which means a corporation that would be taken to be a subsidiary under the Corporations Law, whether or not the Corporations Law applies in the particular case) of any such business and 'transmission' includes transfer, conveyance, assignment or succession whether by agreement or by operation of law and 'transmitted' has a corresponding meaning

10.7 Exemption where transmission of business

The provisions of clause 10.6 are not applicable where a business is, before or after the date of commencement of this Award, transmitted from the Council (transmittor) to another employer (transmittee) in any of the following circumstances:

- (a) where the employee accepts employment with the transmittee which recognises the period of continuous service which the employee had with the transmittor and any prior transmittor to be continuous service of the employee with the transmittee; or
- (b) where the employee rejects an offer of employment with the transmittee:
 - (i) in which the terms and conditions are substantially similar and no less favourable, considered on an overall basis, than the terms and conditions applicable to the employee at the time of ceasing employment with the transmittor; and
 - (ii) which recognises the period of continuous service which the employee had with the transmittor and any prior transmittor to be continuous service of the employee with the transmittee.

10.8 Alternative employment

The Council, in a particular case, may make application to the Commission to have the general severance pay prescription amended if the Council obtains acceptable alternative employment for an employee.

10.9 Employees exempted

Clauses 10.1 to 10.8 shall not apply:

- (a) where employment is terminated as a consequence of misconduct on the part of the employee; or
- (b) to an employee engaged for a specific period or task/s; or
- (c) to a casual employee; or
- (d) to an employee with less than one year's continuous service, in which case the general obligation on the Council should be no more than to give the relevant employee 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 employee of suitable alternative employment.

11. Consultation - Introduction of changes

11.1 Council's duty to notify

- (a) Where the Council decides to introduce changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the Council shall notify the employees who may be affected by the proposed changes and, where relevant, their union/s.
- (b) 'Significant effects' includes termination of employment; major changes in the composition, operation or size of the Council's workforce or in the skills required; the elimination or diminution of job opportunities or 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.
- (c) Where the Award makes provision for alteration of any of the matters referred to in clauses 11.1(a) and (b) an alteration shall be deemed not to have significant effect.

11.2 Council's duty to consult over change

- (a) The Council shall consult the employees affected and, where relevant, their union/s about the introduction of the changes, the effects the changes are likely to have on employees (including the number and categories of employees likely to be dismissed, and the time when, or the period over which, the Council intends to carry out the dismissals) and ways to avoid or minimise the effects of the changes (e.g. by finding alternate employment).
- (b) The consultation must occur as soon as practicable after making the decision referred to in clause 11.1.
- (c) For the purpose of such consultation the Council shall provide in writing to the employees concerned and, where relevant, their union/s, 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.
- (d) Notwithstanding the provision of clause 11.2(c) the Council shall not be required to disclose confidential information, the disclosure of which would be adverse to the Council's interests.

PART 4 - Minimum Wage Levels, Allowances and Related Matters

12. Classifications and minimum wage levels

12.1 Classification structure

Employees covered by this Award are to be classified into 5 occupational streams, as shown below, utilising the classification and operational principles and the definitions and position descriptors contained within the Schedules listed next to each occupational stream.

| Occupational stream | Stream abbreviation | Schedule/s |
|---|---------------------|-------------|
| Operational services employees | OSE | 2 and 5 |
| Building trades employees | BT | 6 and 7 |
| Engineering/Electrical trades employees | E/E | 8 and 9 |
| Miscellaneous Workers | MW | 2, 3 and 11 |
| Plant Operators | PO | 2, 4 and 12 |

12.2 Minimum wage rates

The minimum wage rates payable to employees covered by this Award are prescribed in the table below:

| Grade level and Stream | | | | | Nominal Relativity to Trade Rate | Award Rate ¹ Per Week | Annual Salary ³ |
|------------------------|----------|-------|----------|------|---|-------------------------------------|-------------------------------|
| OSE* | BT | E/E | MW | PO | % | \$ ² | \$ ⁴ |
| | | C14** | | | 79 | 808.50 | 42,042 |
| | | C13 | | | 82 | 828.50 | 43,082 |
| | BW 1 (a) | | | | 85 | 842.50 | 43,810 |
| | | C12 | | | 87.4 | 855.50 | 44,486 |
| Entry OSE | | | Entry MW | | 87.5 | 856.00 | 44,512 |
| | BW 1 (b) | | | | 88 | 858.50 | 44,642 |
| OSE 1 | BW 1 (c) | | MW 1 | | 90.0 | 867.50 | 45,110 |
| | BW 1 (d) | C11 | | | 92.4 | 880.00 | 45,760 |
| OSE 2 | | | MW 2 | | 92.5 | 880.50 | 45,786 |
| OSE 3 | | | MW 3 | | 95.0 | 893.00 | 46,436 |
| | BW 2 | | | PO 1 | 96.0 | 899.00 | 46,748 |
| OSE 4 | | | MW 4 | | 97.5 | 905.50 | 47,086 |
| OSE 5 | BT 1 | C10 | MW 5 | PO 2 | 100 | 924.50 | 48,074 |
| OSE 6 | BT 2 | C9 | MW 6 | PO 3 | 105 | 952.50 | 49,530 |
| OSE 7 | BT 3 | C8 | MW 7 | PO 4 | 110 | 981.00 | 51,012 |
| OSE 8 | | C7 | MW 8 | PO 5 | 115 | 1,006.50 | 52,338 |
| OSE 9 | | | MW 9 | | 120 | 1,034.50 | 53,794 |
| OSE 10 | | C6 | MW 10 | | 125 | 1,063.00 | 55,276 |
| OSE 11 | | C5 | | | 130 | 1,092.00 | 56,784 |
| OSE 12 | | C4 | | | 135 | 1,120.00 | 58,240 |
| OSE 13 | | | | | 140 | 1,148.00 | 59,696 |
| OSE 14 | | C3 | | | 145 | 1,176.00 | 61,152 |
| | | C2(a) | | | 150 | 1,204.00 | 62,608 |
| | | C2(b) | | | 160 | 1,255.00 | 65,260 |

Notes:

- ¹ Includes the arbitrated wage adjustment payable under the 1 September 2021 Declaration of General Ruling.
- ² Rounded to the nearest \$0.50.
- ³ Annual salaries (weekly rate x 52) are for reference purposes only.
- ⁴ Rounded to nearest dollar.
- * Owner drivers required by Council to use their own motor vehicles shall, in addition to the rates prescribed in clause 12.2, be paid the allowance to a driver of the relevant class of vehicle as provided in Table 1 in Schedule 1.
- ** In addition to the C14 rate a surplus amount of \$4.20 shall be paid, such surplus amount being non-adjustable.

12.3 Performance of higher duties

- (a) Subject to clause 12.3(b) an employee temporarily called upon to perform all, or a substantial part, of a role at a higher grade for a full working day or more shall be entitled to be paid at the rate applicable to that higher grade whilst so engaged.
- (b) A Building trades employee engaged for more than 4 hours on any one day on work which carries a higher rate than their ordinary classification shall be paid the higher rate for the whole day. If employed for 4 hours or less on any one day the employee shall be paid at the higher rate for 4 hours.

12.4 Payment of wages

- (a) Wages shall be paid weekly or fortnightly by electronic funds transfer to the employee's credit in an account nominated by the employee, with not more than two days' pay being held in arrears at any time.
- (b) In exceptional circumstances, and with notice to the relevant union/s, the Council may elect to pay wages by cash or cheque.

12.5 Incidental and peripheral tasks

Council may direct an employee to carry out duties that are within the particular employee's skill, competence and training provided:

- (a) such duties are not designed to promote deskilling;
- (b) the direction does not affect the employee's entitlement to higher or other duties allowances provided in this Award; and
- (c) all such directions are consistent with the employer's responsibilities to provide a safe and healthy working environment.

13. Allowances

13.1 Allowances with common application

13.1.1 First-aid allowance

- (a) Subject to clause 13.1.1(b) any qualified employee appointed by the Council to perform first-aid duties, and who works three days or more in any one week, shall be paid an additional \$18.85 per week.
- (b) In lieu of the allowance prescribed in clause 13.1.1(a) a Building trades employee or Miscellaneous Worker shall be paid an additional \$16.45 per week.

13.1.2 Mileage allowance

Where an employee is directed by their team leader to use the employee's own vehicle to travel from job to job on the same day and such employee agrees to do so, the employee shall be paid \$0.69 cents per kilometre.

13.1.3 Overtime meal allowance

Subject to clause 18.2(j) when an employee works overtime the Council shall provide a reasonable meal or pay an allowance of \$13.45 in lieu thereof.

13.1.4 Work in the rain

- (a) Where practicable suitable waterproof clothing shall be provided by the Council to an employee who is required to work in the rain.
- (b) If an employee gets their work clothing wet as a result of a requirement to perform work in the rain, regardless of wearing the waterproof clothing supplied by the Council, the employee shall be paid as per the table below for all work so performed and such payment shall continue until the employee is able to change into dry clothing or until the employee ceases work, whichever is the earlier:
 - (i) Operational services employees - single time in addition to ordinary time or overtime payments;
 - (ii) Building trades employees - double rates (minimum 1 hour);
 - (iii) Engineering/Electrical trades employees - double rates;
 - (iv) Miscellaneous Workers - double rates (not applicable where supplied with adequate rainproof clothing);
 - (v) Plant Operators - double time.
- (c) A Miscellaneous Worker employed in a cemetery shall not be required to perform work in the rain except for burials or time graves.

13.2 Operational services employees - Allowances

13.2.1 All purpose operational allowance

- (a) The following allowance is provided in recognition of the potential discomfort arising from the working environment, the wearing of personal protective equipment and additional responsibilities to ensure safe working practices, and shall not be represented as encouragement or compensation for working in unsafe conditions.
- (b) Subject to clauses 13.2.1(c) and (d) an Operational services employee, excluding one engaged in either of the activities described in clause (c) of Schedule 5, whilst engaged on any or all of the activities recorded in clauses 13.2.1(b)(i) to (vi), inclusive, shall be paid an all purpose allowance at the rate of \$34.10 per week which is to be treated as part of the ordinary weekly wage for all purposes of this Award to compensate for the working environments and conditions associated with:
 - (i) Work at quarries, gravel pits, crushing plants, screening plants and similar plants where such plants are in operation. The allowance shall not apply if the plants are operated in a wet process method or other methods that prevent the occurrence of a dust nuisance.

- (ii) Construction, reconstruction, alteration, repair and/or maintenance work as defined at clause (b) of Schedule 5, including:
- climatic conditions, where working in the open on all types of work,
 - the physical disadvantages of having to climb stairs or ladders and including work at heights above 7.5m from the ground,
 - dust blowing in the wind on construction sites,
 - sloppy, muddy or wet conditions,
 - dirty conditions and handling dirty materials including bitumen, tar, asphalt, and tarred material,
 - drippings from newly poured concrete,
 - working on all types of scaffold other than a single plank or bosun's chair,
 - the lack of usual amenities associated with factory work, and
 - working in water up to a depth not exceeding 750 mm.*

*An Operational services employee who is required to work in water to a depth exceeding 750 mm shall also be paid in accordance with clause 13.2.5.

- (iii) All work performed on site on the construction, reconstruction, alteration, repair and/or maintenance of:
- pipe lines, culverts, box culverts, bridges, overpasses, underpasses, and concrete work incidental thereto,
 - kerbing, channelling, roads, traffic islands, concrete walls,
 - land reclamation,
 - ornamental lakes, concrete ornamental gardens, and retaining walls, wharves, piers, jetties, buildings or similar structures, but only for the purposes of construction by Bridge Carpenters, Foreperson Bridge Carpenters, Form Framers, and/or Setters and Form Setters Assistants,
 - water towers, water treatment works, water mains (including repair to trunk mains and/or reticulation mains of greater than 304 mm in diameter and working in water of such depth as will overtop the toecap of a normal boot), water services,
 - reservoirs, dams, barrages, weirs or similar structures,
 - sewerage and sewerage treatment works, including whilst making connections to live sewers.
- (iv) Work at rubbish dumps, landfills, waste collection and transfer stations, including burning-off, containment of grassfires and bushfires.
- (v) Cleaning of stormwater channels, pipes, tunnels and other drains and use of mechanical gully eductors, picking up street refuse, emptying rubbish and litter bins; removal of litter, dumped material and animal matter from parks, restoration of vandalised or damaged equipment, and recovery operations following storms, floods and bushfires; cleaning lavatories and other city cleansing activities.
- (vi) Vegetation and pest control including tree maintenance, tree lopping, tree climbing, (including use of chainsaws from cherry-pickers), total extraction of trees and removal, groundsel eradication, weed control, mosquito and pest control, involving use of herbicides, insecticides and other poisonous or toxic substances, including working from a boat or aquatic weed harvester on water or aerial spraying. (An Operational services employee who is engaged in handling and using prescribed pesticides and herbicides shall be licensed as required under relevant legislation).

- (c) The payment prescribed in clause 13.2.1(b) shall be in full compensation for all current environmental and working conditions not specifically compensated for or allowed for in any

other provision of this Award and in lieu of previously listed Award payments pertaining to the above activities.

- (d) An Operational services employee shall not be entitled to the all purpose operational allowance prescribed in clause 13.2.1(b) where they are:
- in receipt of an additional disability payment or site allowance for a specific project;
 - involved in the operation of a dam, weir or barrage, or on the construction or maintenance of tourist facilities, gardening, grass cutting or other agricultural operations at a dam weir or barrage;
 - engaged in Building trades, Engineering/Electrical trades and Miscellaneous Worker activities; or
 - engaged in either of the activities described in clause (c) of Schedule 5.

13.2.2 Rodent control allowance

- (a) Where the Council provides an Operational services employee with a dog for use in rat destruction, the employee shall be paid an allowance of \$25.45 per week to care for each dog up to a maximum of two dogs.
- (b) Such allowance shall be paid to the employee concerned during absences on annual leave, paid personal leave or whilst receiving workers' compensation payments.
- (c) The Council will waive the Council dog registration fees for the dog whilst it is engaged in rodent control activities.

13.2.3 Tool allowance

Bridge carpenters and form setters using their own tools shall be paid \$12.40 per week in addition to their ordinary rates of pay. This allowance shall not be paid while the employee is on annual leave.

13.2.4 Wet conditions allowance

- (a) All time lost by an Operational services employee due to wet weather shall be paid at ordinary time rates, provided that the employee reports for work and hold themselves in readiness. The supervisor under whose direction the employee is working on that day shall decide whether or not it is too wet to work. An employee who is prevented from performing their normal duties due to wet weather shall perform alternate duties or training as directed by the Council during such periods.
- (b) An Operational services employee, excluding one engaged in either of the activities described in clause (c) of Schedule 5, engaged in sinking wet holes, digging wet trenches or working in manholes which are wet shall be paid an additional \$5.51 per day whilst so engaged.
- (c) Subject to clause 13.2.4(d) a place shall be deemed to be "wet":
- (i) when water other than rain is dropping from overhead so that the clothing of persons employed there will become saturated with water; or
 - (ii) where an employee works without protective waterproof footwear in water and/or slush underfoot to a depth exceeding 50 mm.
- (d) No place shall be considered wet where an Operational services employee is not actually working or where the wetness is caused by rain or by a jet or spraying of water.
- (e) The foregoing allowance for wet places shall not be payable in addition to the allowances prescribed in clause 13.2.1 (all purpose operational allowance).

13.2.5 Working in water allowance

An Operational services employee, excluding one engaged in either of the activities described in clause (c) of Schedule 5, who is required to work in water to a depth exceeding 750 mm shall be paid an additional \$2.42 per hour, with a minimum payment of two hours (i.e. \$4.84 per day). This allowance is payable in lieu of that prescribed in clause 13.2.4 (wet conditions allowance).

13.3 Building trades employees - Allowances

- (a) In addition to the allowances prescribed in clause 13.1 (allowances with common application) clauses 13.3.1 to 13.3.26 apply to Building trades employees.
- (b) The allowances prescribed in clause 13.3 shall be paid irrespective of the times at which work is performed and, unless specifically provided, shall not be subject to any premium or penalty.
- (c) Where more than one of the allowances provides payments for disabilities of substantially the same nature, then only the highest of such rates shall be payable.
- (d) Subject to clause 13.3(c) and except where as otherwise prescribed, where more than one of the disabilities appearing in clause 13.3 is present on a job, an employee shall receive payment for each disability (known as accumulation of special rates).

13.3.1 Asbestos

- (a) A Building trades employee required to use materials containing asbestos or to work in close proximity to employees using such materials shall be provided with and shall use all necessary safeguards as required by the appropriate occupational health authority and where such safeguards include the mandatory wearing of protective equipment (i.e. combination overalls and breathing equipment or similar apparatus) such employees shall be paid an additional \$0.97 per hour for the actual time so engaged.
- (b) An employee engaged in asbestos eradication shall be paid an additional \$2.64 per hour worked in lieu of all special rates, except those for clauses 13.3.20 (second hand timber), 13.3.22 (swing scaffold) and 13.3.25 (work in excessive heat). **Asbestos eradication** is defined as work on or about buildings involving the removal or any other method of neutralisation of any materials which consist of, or contain, asbestos.
- (c) The following provisions apply to employees engaged in the process of asbestos eradication:
 - (i) All aspects of asbestos work will meet, as a minimum standard, the National Health and Medical Research Council codes, as amended from time to time, for the safe demolition/removal of asbestos based materials.
 - (ii) Without limiting the effect of the above provision, any person who carries out asbestos eradication work shall do so in accordance with the legislation/regulations prescribed by the appropriate authorities.
 - (iii) Respiratory protective equipment, conforming to the relevant parts of the appropriate Australian Standard (i.e. 1716 "Specification for Respiratory Protective Devices") shall be worn by all personnel during work involving eradication of asbestos.

13.3.2 Bricklayers on repair work

- (a) Subject to clause 13.3.2(b) a Building trades employee engaged in repairing the brickwork of furnaces shall be paid at not less than one and one-sixth times the ordinary time rate.

- (b) Work at a temperature of 43 degrees Celsius or over shall be paid for at one and one-thirds times the ordinary time rate.

13.3.3 Brisbane Transport

A Building Tradesperson employed on the maintenance, repair and advertising operations on buses operated by the Council, through Brisbane Transport, shall be paid an allowance at the rate of \$39.90 per week, which shall be treated as part of the employee's ordinary weekly wage for all purposes of this Award.

13.3.4 Certificate allowance

- (a) A Building Tradesperson who holds and is required to act on a scaffolding or rigging certificate issued by Workplace Health and Safety Queensland whilst engaged on work requiring a certificated person shall be paid an additional \$0.80 per hour for the actual time so engaged.
- (b) The additional payment at clause 13.3.4(a) for certificate holders shall not be cumulative on the allowance for swing scaffolds set out in clause 13.3.22.

13.3.5 Cleaning bricks allowance

A Building trades employee required to clean down bricks using acids or other corrosive substances shall be paid an additional \$0.73 per hour for the actual time so engaged.

13.3.6 Computing quantities

A Building trades employee, except if in receipt of a leading hand allowance, who regularly computes or estimates quantities of materials in respect to the work performed by other employees shall be paid an additional \$5.77 per day or part thereof.

13.3.7 Confined space

A Building trades employee required to work in a place the dimension or nature of which necessitates working in a stooped or otherwise cramped position and/or without sufficient ventilation shall be paid an additional \$0.97 per hour for the actual time so engaged.

13.3.8 Construction/on site allowance

- (a) A Building trades employee working on building construction work (as defined in clause 13.3.8(b)), shall be paid an allowance at the rate of \$35.25 per week, for all purposes of this Award, to compensate for the following disabilities:
- climatic conditions when working in the open on all types of work,
 - the physical disadvantages of having to climb stairs or ladders,
 - dust blowing in the wind on building sites,
 - sloppy and muddy conditions associated with the initial stages of the erection of the building,
 - dirty conditions caused by the use of foam oil or from green timber,
 - the disability of working on all types of scaffolds other than a single plank swing scaffold or a bosun's chair,
 - the lack of the usual amenities associated with factory work (e.g. recreational facilities, sanitary convenience etc.),
 - drippings from newly poured concrete, and
 - all other present disabilities not specifically compensated or allowed for by any other provisions in this Section.

- (b) For the purposes of clause 13.3.8 **building construction work** shall mean the construction of new buildings, the construction of additions to existing buildings and necessary alteration of existing buildings to make them conform to any new additions, and the demolition of buildings.

13.3.9 Construction allowances

- (a) Bagging - a Building trades employee engaged upon bagging brick or concrete structures shall be paid an additional \$0.73 per hour for the actual time so engaged.
- (b) Underpinning - an additional \$0.97 per hour for the actual time so engaged shall be paid for all work done in underpinning walls or in confined situations such as holes or shafts, provided that the depth of such holes or shafts is 1.8 metres or over.

13.3.10 Dirty work allowance

A Building trades employee engaged on unusually dirty work to which no other allowance applies shall be paid an additional \$0.80 per hour for the actual time so engaged.

13.3.11 Explosive powered tools

A Building trades employee required to use an explosive powered tool/s shall be paid an additional \$1.88 per day for each day such tool/s is used.

13.3.12 Grindstone allowance

The Council shall provide a power driven grindstone of a type suitable for maintaining employees' hand tools at every shop, job or building site as required. In event of there being no grindstone provided the employer shall pay to each employee required to maintain their own tools an additional \$4.75 per week.

13.3.13 Insulation work

- (a) A Building trades employee working in a dust-laden atmosphere caused by the use of materials for insulating, deafening, or pugging work, when, for instance, pumice, charcoal, or any other substitute, including cork and sawdust is used, shall be paid an additional \$0.97 per hour for the actual time so engaged.
- (b) An employee employed on work which involves the handling of charcoal, pumice, slagwool, insulwool or other loose material of a like nature used on the construction, repair, or demolition of roofing, flooring, walls or partitions, for providing insulation against heat, cold or noise, shall be paid an additional \$0.97 per hour for the actual time so engaged.
- (c) An employee engaged at fixing insulation materials with hot bitumen shall be paid an additional \$0.97 per hour for the actual time so engaged.
- (d) An employee engaged on insulating work in an average temperature of 7 degrees Celsius or under shall be paid an additional \$0.97 per hour for the actual time so engaged.

13.3.14 Labourers mixing wet concrete or compo

A labourer mixing or depositing wet concrete or mixing compo for bricklayers or plasterers shall be paid an additional \$0.70 per day.

13.3.15 Laying other than standard bricks

- (a) A stonemason, stonemason's assistant, bricklayer laying other than standard bricks and a builder's labourer handling building blocks (other than cindercrete blocks for plugging purposes) shall be paid an additional amount per hour, as specified below, whilst so engaged:

| | Per hour |
|---------------------------|-----------------|
| | \$ |
| • For bricks over 5.5kg | 0.80 |
| • Over 9kg and up to 18kg | 1.38 |
| • Over 18kg | 2.00 |

- (b) An employee shall not be required to lift a building block in excess of 20kg in weight unless such employee is provided with a mechanical aid or with an assisting employee.
- (c) A stonemason or a stonemason's assistant shall not receive the above allowances if the employer provides mechanical means for the handling, lifting and placing of heavy blocks.

13.3.16 Leading hand allowance

- (a) A Building trades employee occupying the position of leading hand shall be paid the following additional rates:

| | Per day |
|---|----------------|
| | \$ |
| All other than plumbers - | |
| • In charge of not more than 1 person | 4.72 |
| • In charge of 2 and not more than 5 persons | 10.47 |
| • In charge of 6 and not more than 10 persons | 13.17 |
| • In charge of more than 10 persons | 17.52 |
| Plumbers only - | |
| • In charge of not more than 1 person | 6.82 |
| • In charge of 2 and not more than 4 persons | 9.52 |
| • In charge of more than 4 persons | 13.28 |

- (b) A **leading hand plumber** means a qualified plumber who has one or more employees, other than apprentices, under their control.
- (c) Leading hand allowances shall be taken into consideration in the computation of overtime, payment for annual leave, sick leave, public holidays, weekend work, etc.

13.3.17 Plasterers in sewers

A plasterer engaged in sewer or shaft work in drains shall be paid an additional:

- (a) in drains 1.22 metres and over in diameter: \$0.45 per hour for the actual time so engaged; and
- (b) in drains under 1.22 metres in diameter: \$0.59 per hour for the actual time so engaged.

13.3.18 Plasterers top-dressing floors

A plasterer engaged in top-dressing floor work or patching old and dirty work shall be paid an additional \$0.45 per hour for the actual time so engaged. This payment shall not apply to terrazzo layers.

13.3.19 Roof repairs

A Building trades employee engaged on repairs to existing roofs shall be paid an additional \$0.97 per hour for the actual time so engaged.

13.3.20 Second hand timber

Where, whilst working with second hand timber, an employee's tools are damaged by nails, dumps or other foreign matter on the timber the employee shall be entitled to an additional \$3.06 per day on each day upon which the employee's tools are so damaged, provided that no allowance shall be payable unless it is reported immediately to the employer's representative on the job in order that the employer's representative may approve the claim.

13.3.21 Special substance allowance

A Building trades employee required to work in the following circumstances shall be paid the additional amount prescribed for the actual time so engaged:

- (a) using epoxy based materials and materials which include or require the addition of a catalyst hardener and reactive additives or two pack catalyst system - \$0.97 per hour
- (b) working in close proximity to those subject to clause 13.3.21(a) - \$0.80 per hour.

13.3.22 Swing scaffold

A payment of \$5.77 for the first 4 hours or any portion thereof, and \$1.18 for each hour after 4 hours on any day, shall be made to any Building trades employee employed:

- (a) on any type of swing scaffold or any scaffold suspended by rope, cable or bosun's chair (however named); or
- (b) on a suspended scaffold requiring the use of steel or iron hooks or angle irons at a height of 6 metres or more above the nearest horizontal plane.

13.3.23 Tool allowance

- (a) The following tool allowances shall be paid to all tradespersons who are required to supply and use their own tools:

| Trade | Per Week \$ |
|------------------------------|----------------|
| Carpenter and/or Joiner | 27.55 |
| Plumber and Gasfitter | 27.55 |
| Plasterer and Tiler | 22.70 |
| Bricklayer | 19.55 |
| Stonemason | 19.55 |
| Waterproofer | 10.70 |
| Signwriter, Painter, Glazier | 6.55 |
| Licensed Drainer | 6.55 |

- (b) The tool allowances prescribed in clause 13.3.23(a) are not payable while an employee is absent on annual leave.
- (c) A tradesperson shall replace or pay for any tools supplied by their employer which are lost as a result of negligence on the part of the employee.

13.3.24 Trench work

A Building trades employee engaged in trenches more than 1.8 metres in depth and less than 0.9 metres in width shall be paid an additional \$0.70 per day or shift.

13.3.25 Work in excessive heat

- (a) A Building trades employee who finds that the temperature is excessive shall be entitled to request the employer or employer's representative to take reasonable action to reduce the temperature to below an excessive level. The employee shall not be required to work in excessive heat when it is not safe to do so.
- (b) When the employer is unable to reduce the temperature below 54 degrees Celsius the employee shall be entitled to receive an additional \$0.97 per hour for the actual time so engaged. Where work continues for more than 2 hours in temperatures exceeding 54 degrees Celsius, the employee shall rest for at least twenty minutes after every 2 hours. Work shall only resume if it is safe to do so.
- (c) When the temperature is between 46 and 54 degrees Celsius and the employer has been unable to reduce the temperature below 46 degrees, the employee shall receive an additional \$0.80 per hour for the actual time so engaged.
- (d) The temperature shall be determined by the representative of the employer after consultation with the employee who claims the additional rate. Any temperature measurement shall be based on an in the shade measurement. However the overriding consideration shall be to ensure that it is safe to continue to work at the assigned task. In order to promote safe working practice the employer shall give consideration to the allocation of alternative duties during periods of excessive heat.

13.3.26 Work under unpleasant conditions

A Building trades employee engaged in cleaning covered drains, cleaning septic tanks, on live sewer work involving personal contact with live or raw sewerage, shall be paid at the rate of time and one-quarter.

13.4 Engineering/Electrical trades employees - Allowances

- (a) In addition to the allowances prescribed in clause 13.1 (allowances with common application). Clauses 13.4.1 to 13.4.17 apply to Engineering/Electrical trades employees.
- (b) The allowances prescribed in clause 13.4 shall be paid irrespective of the times at which work is performed and, unless specifically provided, shall not be subject to any premium or penalty.
- (c) Except where as otherwise prescribed, where more than one of the disabilities appearing in clause 13.4 is present on a job, an employee shall receive payment for each disability (known as accumulation of special rates).
- (d) Subject to clause 13.4(c) and unless otherwise specified, where more than one of the conditions in clauses 13.4.4 (electrical labourers' allowances), 13.4.11 (repair work allowance), 13.4.12 (rubbing allowance), 13.4.14 (special material handling allowance), 13.4.15 (special substances allowances) and 13.4.16 (special tool using allowance) are met the allowance is payable in respect of each condition so met.

For example, if an employee is required to use both a chainsaw and an explosive powered tool in the same day, they are to receive the allowance set out in clause 13.4.16 (special tool using allowance) for each of the two tools used in that day.

13.4.1 Confined space

An Engineering/Electrical trades employee required to work in a place the dimension or nature of which necessitates working in a stooped or otherwise cramped position and/or without sufficient ventilation shall be paid an additional \$0.95 per hour for the actual time so engaged.

13.4.2 Construction/on site allowance

- (a) Except as provided elsewhere in this Award, an Engineering/Electrical trades employee working on building construction work (as defined in clause 13.4.2(b)(i)); or reconstruction, alteration, repair and/or maintenance work (as defined in clause 13.4.2(b)(ii)), shall be paid an allowance at the rate of \$34.10 per week, for all purposes of this Award, to compensate for the following disabilities:
- climatic conditions when working in the open on all types of work,
 - the physical disadvantages of having to climb stairs or ladders,
 - dust blowing in the wind on building sites,
 - sloppy and muddy conditions associated with the initial stages of the erection of the building,
 - dirty conditions caused by the use of foam oil or from green timber,
 - the disability of working on all types of scaffolds other than a single plank swing scaffold or a bosun's chair,
 - the lack of the usual amenities associated with factory work (e.g. recreational facilities, sanitary convenience etc.),
 - drippings from newly poured concrete, and
 - all other present disabilities not specifically compensated or allowed for by any other provisions of this Section.
- (b) For the purposes of this clause:
- (i) **building construction work** shall mean the construction of new buildings, the construction of additions to existing buildings and necessary alteration of existing buildings to make them conform to any new additions, and the demolition of buildings and shall be deemed to include all electrical work carried out during such work;
 - (ii) **reconstruction, alteration, repair and/or maintenance work** shall mean and include all work including electrical work performed on site on the reconstruction, alteration, repair and/or maintenance of wharves, jetties, piers, bridges, overpasses, underpasses, and incidental concrete work, pipelines, culverts, box culverts, kerbing, channelling, roads, traffic islands and concrete ornamental lakes and land reclamation.
- (c) Employees working "on site" on structures which are primarily civil or mechanical engineering structures or installations, such as wharves, jetties, piers, bridges, overpasses, underpasses and incidental concrete work, pipelines, water storage towers, sewerage construction work, dams, barrages, weirs or similar structures, construction of culverts, box culverts, kerbing, channelling, roads, traffic islands and concrete ornamental lakes and land reclamation and/or land clearing associated with estate development and building construction, shall be paid the allowance as provided in clause 13.4.2(a) and shall be subject to the same proviso as contained in clause 13.4.2(d).
- (d) Where a separate "on site" or construction allowance applies on a particular project, the allowance of \$34.10 per week prescribed in clause 13.4.2(a) shall be in substitution except where such allowance exceeds \$34.10 when the higher amount shall be paid. Such allowance shall form part of the weekly wage in the calculation of overtime payments, annual leave pay, public holiday pay, sick pay and long service leave pay.
- (e) Employees receiving payment pursuant to clause 13.4.2 shall not be entitled to any payment dealing with dirty work (clause 13.4.3) or repair of unclean vehicles work (clause 13.4.11(b)).

13.4.3 Dirty work allowance

- (a) Subject to clause 13.4.3(b) an Engineering/Electrical trades employee engaged on unusually dirty work to which no other allowance applies shall be paid an additional \$0.70 per hour for the actual time so engaged.
- (b) Clause 13.4.3 does not apply if the employee is in receipt of the construction/on site allowance (clause 13.4.2) or the allowance for manufacturing second hand articles (clause 13.4.13).
- (c) Dirty work conditions may be found in the following places:

dismantling machinery, all work performed between ceilings and roofs in buildings that have been in use, in using tar or bitumen, or where tar or bitumen has been used and is not dry and in overhauling and/or repairing transformers where the employee's clothing becomes soiled with oil, and other work which is of an unusually dirty or offensive nature.

13.4.4 Electrical labourers' allowances

An electrical labourer required to work on the undermentioned task/s shall be paid the additional allowances prescribed whilst engaged on such work:

- (a) on hammer and drill work - \$4.82 per day;
- (b) as a jack-hammer worker - \$4.82 per day;
- (c) as a jumper worker on gads and moils - \$4.82 per day;
- (d) in the pole lifting gang - \$4.82 per day; or
- (e) as a tool dresser - \$7.29 per day.

13.4.5 Height allowance

- (a) An Engineering/Electrical trades employee required to perform work at a height from 15.25 to 22.87 metres from the ground or low water level or nearest horizontal plane shall be paid at the rate of \$17.65 per week extra for the actual time so engaged.
- (b) An employee required to perform work at a height over 22.87 metres from the ground or low water level or nearest horizontal plane shall be paid at the rate of \$27.55 per week extra for the actual time so engaged.

13.4.6 Hot and cold work allowance

Where an Engineering/Electrical trades employee is required to work for more than one hour continuously in places where the temperature is raised by artificial means to 45 degrees Celsius or more or is below 0 degrees Celsius they shall be paid an additional \$0.95 per hour for the actual time so engaged.

13.4.7 Leading hand allowance

- (a) An Engineering/Electrical trades employee occupying the position of leading hand shall be paid the following additional rates per day:

| | Per day |
|--|----------------|
| | \$ |
| • In charge of less than 10 employees | 8.24 |
| • In charge of 10 but less than 20 employees | 12.34 |
| • In charge of 20 or more employees | 16.23 |

- (b) For the purposes of clause 13.4.7(a) the leading hand shall be reckoned as one of the employees.
- (c) Leading hand allowances shall be taken into consideration in the computation of overtime, payment for annual leave, sick leave, public holidays, weekend work, etc.

13.4.8 Motor vehicles drawing trailers

- (a) Where an Engineering/Electrical trades employee is required to drive a motor vehicle to which a trailer is attached they shall be paid an additional \$3.53 per day.
- (b) Not more than one trailer shall be attached and drawn at any one time.
- (c) The additional payment prescribed shall not apply to employees driving articulated vehicles or machinery floats and/or low loaders.
- (d) The allowance shall apply only in respect of the drawing of trailers having a loading capacity in excess of 0.5 tonnes.
- (e) The term **trailer** does not include:
 - caravans,
 - compressors,
 - concrete mixers,
 - welding plants, and
 - road brooms.

13.4.9 Painters labourers wages

A painter's labourer engaged on any class of varnishing or finishing work shall be paid for the whole day at the rate of level C10 prescribed in clause 12.2.

13.4.10 Painting poles allowance

An Engineering/Electrical trades employee engaged in painting electric tramway or electric light poles shall be paid the rates prescribed for a painter in clause 12.2.

13.4.11 Repair work allowance

- (a) A boilermaker and any assistant engaged in repairs and alterations to old work only, notwithstanding that new material may have to be used for the purpose, shall be paid an additional \$0.95 per hour for actual time so engaged, but nothing extra shall be claimed for dirty work.
- (b) Subject to clause 13.4.11(c) an employee employed on:
 - (i) the repair of the bodies of vehicles used as sanitary or rubbish vehicles or to transport tar and bitumen where such vehicles have not been thoroughly cleaned down immediately before work on such repairs is commenced; or
 - (ii) the repairs of floors and undergear of trams and buses,shall be paid an additional \$0.70 per hour for the actual time so engaged.
- (c) An employee in receipt of the construction/on site allowance (clause 13.4.2) shall not be entitled to the allowance prescribed in clause 13.4.11(b).

13.4.12 Rubbing allowance

A painter's labourer engaged in rubbing will receive allowances as follows for the actual time so engaged:

- (a) wet rubbing - an additional \$0.73 per hour; and
- (b) using a compound and/or polish for rubbing bodies or any portion of a car after it has been sprayed with pyroxylin enamel - an additional \$0.42 per hour.

13.4.13 Second hand articles allowance

An Engineering/Electrical trades employee engaged in the manufacture of any domestic article manufactured from any article already made up shall be paid 20% in addition to their ordinary time rate of pay.

13.4.14 Special material handling allowances

An Engineering/Electrical trades employee engaged in the undermentioned task/s shall be paid the additional allowances prescribed whilst engaged on such work:

- (a) electrical labourers mixing concrete - \$0.74 per hour;
- (b) loading or unloading not less than 6 bags of lime and/or cement - \$0.74 per hour; or
- (c) handling loose slag wool, loose insulwool, or other loose material of a like nature, used in the construction, repair, or demolition of roofing, flooring, walls or partitions, for providing insulation against heat, cold or noise - \$0.51 per hour.

13.4.15 Special substance allowances

An Engineering/Electrical trades employee required to work in the following circumstances shall be paid the additional allowances prescribed for the actual time so engaged:

- (a) exposed to the effect of sulphuric acid - \$0.27 per hour with a minimum payment of 4 hours per day;
- (b) using epoxy based materials and materials which include or require the addition of a catalyst hardener and reactive additives or two pack catalyst system - \$0.95 per hour;
- (c) working amongst ammonia or other noxious gas fumes - \$0.95 per hour; or
- (d) in the maintenance, overhaul or repair of storage batteries or erecting second hand pre-used storage batteries - \$6.00 per day.

13.4.16 Special tool using allowance

An Engineering/Electrical trades employee required to use the undermentioned tools or equipment shall be paid the additional allowances prescribed whilst engaged on such work:

- (a) chainsaw - \$0.74 per hour;
- (b) explosive powered tools - \$1.95 per day; or
- (c) shot blast or sand blast - \$0.70 per hour.

13.4.17 Tool allowance

- (a) An Engineering/Electrical Tradesperson who is required to supply and use their own tools shall be paid an additional \$22.30 per week.
- (b) The tool allowance prescribed in clause 13.4.17(a) is not payable while an employee is absent on annual leave.
- (c) A tradesperson shall replace or pay for any tools supplied by their employer which are lost as a result of negligence on the part of the employee.

13.5 Miscellaneous Workers - Allowances

13.5.1 Cemetery operations

The allowances in clauses 13.5.1(a) to (d) only apply to Miscellaneous Workers engaged in cemetery operations.

- (a) Removals or exhumations
 - (i) A Miscellaneous Worker actually engaged in removal or exhumation of a body shall be paid \$55.10 extra for the first body from a grave and \$27.51 for each additional body from the same grave.
 - (ii) A Miscellaneous Worker who only assists in the removal or exhumation shall be paid an additional \$22.16.
 - (iii) When bones only are to be removed, the employee undertaking such removal shall be paid an additional \$55.10.
 - (iv) No less than four persons should be employed on any exhumation and/or removal of a person over eight years of age; nor shall less than two persons be employed on the exhumation and/or removal of a child between two and eight years of age.
- (b) Wet graves
 - (i) Where an employee is required to dig graves in water-logged ground they shall be supplied with suitable rubber boots by the employer.
 - (ii) Where an employee is required to dig graves in ground wherein human seepage is draining from other graves they shall be paid an additional \$4.58 per day.
- (c) Hammer and drill work - A grave digger engaged on hammer and drill work, using gads and moils, machine drills, pneumatic picks or mechanical picks, shall be paid an additional \$3.09 for each such grave.
- (d) Payment for re-opening graves:
 - (i) Where a grave digger is required to re-open a grave later than six days after burial and/or before 6 months after burial they shall be paid an additional \$4.45 for each such grave.
 - (ii) Where ground conditions warrant it, not less than two persons shall be employed on re-opening graves which have been sunk more than 2.13 metres.

13.5.2 Poison sprays

A Miscellaneous Worker using poisonous sprays shall be paid an extra \$16.45 per week whilst so engaged.

13.5.3 Toilet cleaning

- (a) Subject to clause 13.5.3(b) a Miscellaneous Worker required to clean toilets connected with septic tanks or sewer, other than merely by hosing them, shall be paid an additional \$10.60 per week.
- (b) The allowance prescribed in clause 13.5.3(a) shall not apply to employees at City Hall because toilet cleaning has been assessed as part of the normal duties of cleaners and has been included in the classification and rate of pay.

13.6 Plant Operators - Allowances

13.6.1 All purpose operational allowance

- (a) Subject to clauses 13.6.1(c) and (d) a Plant Operator whilst engaged on any or all of the activities recorded in clauses 13.6.1(a)(i) to (iv), inclusive, shall be paid an all purpose allowance at the rate of \$35.25 per week to be treated as part of the ordinary weekly wage for all purposes of this Award to compensate for the working environments and conditions associated with such activities.
 - (i) Work at quarries, gravel pits, crushing plants, screening plants and similar plants where such plants are in operation. The allowance shall not apply if the plants are operated in a wet process method or other methods that prevent the occurrence of a dust nuisance.
 - (ii) Construction, reconstruction, alteration, repair and/or maintenance work as defined at clause (b) of Schedule 5, including:
 - climatic conditions, where working in the open on all types of work,
 - the physical disadvantages of having to climb stairs or ladders and including work at heights above 7.5m from the ground,
 - dust blowing in the wind on construction sites,
 - sloppy, muddy or wet conditions,
 - dirty conditions and handling dirty materials including bitumen, tar, asphalt, and tarred material,
 - drippings from newly poured concrete,
 - working on all types of scaffold other than a single plank or bosun's chair, and
 - the lack of usual amenities associated with factory work.
 - (iii) All work performed on site on the construction, reconstruction, alteration, repair and/or maintenance of pipe lines, culverts, box culverts, kerbing, channelling, roads, traffic islands, and concrete ornamental lakes and land reclamation.
 - (iv) Work at rubbish dumps, landfills, waste collection and transfer stations, including burning-off, containment of grassfires and bushfires.
- (b) The allowance prescribed in clause 13.6.1(a) is to be paid to Plant Operators in recognition of the potential discomfort arising from the working environment in which employees of the Council may be required to work, the wearing of personal protective equipment and additional responsibilities to ensure safe working practices, and shall not be represented as encouragement or compensation for working in unsafe conditions.

- (c) The payment prescribed in clause 13.6.1(a) shall be in full compensation for all current environmental and working conditions not specifically compensated for or allowed for in any other provision of this Award and in lieu of previously listed Award payments pertaining to the above activities.
- (d) A Plant Operator shall not be entitled to the all purpose operational allowance prescribed in clause 13.6.1(a) where they are:
- in receipt of an additional disability payment or site allowance for a specific project;
 - involved in the operation of a dam, weir or barrage, or on the construction or maintenance of tourist facilities, gardening, grass cutting or other agricultural operations at a dam weir or barrage; or
 - engaged in Building trades, Engineering/Electrical trades and Miscellaneous Worker activities.

13.7 Adjustment of monetary allowances

- (a) Other than the expense related allowances at clauses 13.1.2 (mileage allowance), 13.1.3 (overtime meal allowance), 13.2.3 (tool allowance), 13.3.23 (tool allowance) and 13.4.17 (tool allowance), respectively, all other allowances specified in clause 13 shall be automatically adjusted from the same date and in the same manner as monetary allowances are adjusted in any State Wage Case decision or other decision of the Commission adjusting minimum wage rates in this Award.
- (b) The monetary allowances in clauses 18.5(b)(ii) (stand by), 25(b) (excess travel time and fares) and Schedule 1, Part 5 (water tank and pump hire), respectively, shall also be adjusted in the same manner and at the same time as monetary allowances are adjusted in accordance with clause 13.7(a).
- (c) At the time of any adjustment to the wage rates in this Award the expense related allowances at clauses 13.1.2 (mileage allowance), 13.1.3 (overtime meal allowance), 13.2.3 (tool allowance), 13.3.23 (tool allowance) and 13.4.17 (tool allowance), respectively, shall be automatically adjusted by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.
- (d) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index, as follows:

| <u>Allowance</u> | <u>Eight Capitals Consumer Price Index</u> <u>(ABS Cat No. 6401.0 - Table 7)</u> |
|--|--|
| Mileage allowance <i>(last adjusted 1 September 2021)</i> | Private motoring sub-group |
| Overtime meal allowance <i>(last adjusted 1 September 2021)</i> | Take-away and fast foods sub-group |
| Tool allowance <i>(last adjusted 1 September 2021)</i> | Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group |

14. Superannuation

- (a) Subject to Commonwealth legislation, Brisbane City Council must comply with superannuation arrangements prescribed in the *City of Brisbane Act 2010*, the *Local Government Act 2009* and *Local Government Regulation 2012*.

- (b) Where Commonwealth legislation provides for choice of fund rights to an employee subject to this Award, and that employee fails to elect which superannuation fund to which Council contributions are directed, the Council will direct contributions to the appropriate fund prescribed in the abovementioned Queensland legislation.

PART 5 - Hours of Work and Related Matters

15. Hours of duty

15.1 Ordinary hours of duty

- (a) Subject to the provisions of clauses 15.1(c) and (d) and clause 15.2, the ordinary hours of duty for employees covered by this Award shall be an average of 38 hours per week with a maximum of 8 hours per day to be worked on not more than five days each week on one of the following bases:
 - (i) 38 ordinary hours within a work cycle not exceeding 7 consecutive days; or
 - (ii) 76 ordinary hours within a work cycle not exceeding 14 consecutive days; or
 - (iii) 114 ordinary hours within a work cycle not exceeding 21 consecutive days; or
 - (iv) 152 ordinary hours within a work cycle not exceeding 28 consecutive days; or
 - (v) any other arrangement mutually agreed between the employer and the affected employee or employees, provided that the ordinary hours do not exceed an average of 38 hours.
- (b) Different methods of working a 38 hour week may apply to individual employees, groups or sections of employees in each location concerned.
- (c) The ordinary hours of duty may exceed 8 hours per day, to a maximum of 10 hours, provided that any such arrangement shall be subject to agreement between the Council and the majority of employees concerned.
- (d) The Council, a relevant union/s and the majority of employees in the work section or sections concerned may agree for ordinary hours not exceeding 12 on any day to be worked subject to:
 - (i) the Council and the employee concerned being guided by the occupational health and safety provisions of the ACTU Code of Conduct on 12 hour shifts;
 - (ii) proper health monitoring procedures being introduced;
 - (iii) suitable roster arrangements being made; and
 - (iv) proper supervision being provided.
- (e) The ordinary starting and finishing times of various groups of employees or individual employees may be staggered or altered by agreement between Council and the majority of employees concerned.
- (f)
 - (i) Subject to clause 15.1(f)(ii), employees are required to observe the nominated starting and finishing times for the work day, including designated breaks, to maximise available working time. Preparation for work and cleaning up of the employee's person shall be in the employee's time.

- (ii) Operational services employees shall be allowed 10 minutes before meal times and ceasing times for cleaning hands when using tar, bitumen, red oxide, red lead, creosote, paint, or other similar dirty materials.
- (g) Rostered day off
 - (i) Where the arrangement of ordinary hours of work provides for a rostered day off, the employer and the majority of employees concerned may agree to accrue up to a maximum of five rostered days off. Consent to accrue days off is not to be unreasonably withheld by either party.
 - (ii) Where agreement has been reached to accrue rostered days off, accrued rostered days are to be taken within 12 calendar months of the date on which each day off was accrued.
 - (iii) An employee may be required to work on a rostered day off for which payment will be made in accordance with the relevant clauses of this Award.
- (h) Annualisation and averaging of wages for employees

By agreement between the Council and a group of employees and a relevant union, other than Engineering/Electrical trades employees and Miscellaneous Workers, wages and/or allowances may be averaged or annualised to provide a more stable income over a roster cycle, subject to the following conditions:

- (i) annualised wages may include penalties, allowances, public holidays, leave loading, overtime and other specified payments;
- (ii) averaged payments may include accrued time, penalties, allowances or other specified payments over an agreed roster cycle or pay periods; and
- (iii) overtime and other payments, not included in annualised wages or averaged payments, shall be paid in accordance with the conditions prescribed elsewhere in the Award at the employees' normal wage rates.

15.2 Spread of ordinary hours of duty - day workers

- (a) Subject to clauses 15.2(b) and (c), the spread of ordinary hours of duty for day workers shall be 0600 to 1800, Monday to Sunday, inclusive.
- (b) Any arrangement of hours which includes a Saturday or Sunday as ordinary hours shall be subject to agreement between the employer and the majority of employees concerned.
- (c) The spread of ordinary hours prescribed in clause 15.2(a) may be altered as to all or a section of employees provided there is agreement between the employer and the majority of employees concerned.
- (d) Ordinary work performed outside the hours of 0600 to 1800 which is not shift work shall be paid at overtime rates and will be deemed to be part of the ordinary hours of duty.

15.3 Payment for working ordinary hours - day workers

- (a) Subject to clause 15.3(b) all ordinary hours of duty performed by a day worker within the ordinary spread of hours prescribed in clause 15.2 shall be paid for as follows:
 - (i) Monday to Friday - ordinary time;

- (ii) between 0000 and 2400 on a Saturday - at the applicable overtime rates specified in clause 18.2;
 - (iii) between 0000 and 2400 on a Sunday - double time; and
 - (iv) between 0000 and 2400 on a public holiday - at the rate prescribed in clause 23.
- (b) All ordinary time worked on a Saturday by a car park attendant, other than a continuous shift worker or a casual, shall be paid for at the rate of time and one-quarter.

15.4 Shift work arrangements

- (a) Employees covered by this Award may be required to perform shift work.
- (b) Such shift work shall be worked in accordance with a roster mutually agreed between the Council and the majority of employees directly affected and/or a relevant union/s.
- (c) An employee shall not be deemed a shift worker unless the employee works:
 - (i) more than four successive working afternoons and/or nights, in circumstances where shifts in excess of 8 hours per day are worked; or
 - (ii) not less than five days where shifts of 8 hours or less per day are worked.

15.5 Payment for working ordinary hours - shift workers

- (a) Subject to clauses 15.5(d) and (e) all employees who work an afternoon shift or night shift Monday to Friday, inclusive, shall be paid an additional allowance of 15% for all ordinary time worked on such shifts, except in the case of Building trades employees who shall receive 12.5% when an afternoon shift is worked.
- (b) Where the majority of the affected employees, or a relevant union/s and Council agree, then agreed rates in lieu of those prescribed in clause 15.5(a) shall apply.
- (c) Where shift work is performed between 0000 Saturday and 2400 Sunday the following rates shall apply:

| | |
|--|---|
| Operational services employee | Saturday - time and one-half for the first 3 hours and double time thereafter. Sunday - double time. |
| Building trades employee | Time and one-half. |
| Engineering/Electrical trades employee | Saturday - Time and one-half. Sunday - double time. |
| Miscellaneous Worker | Saturday - time and one-half for the first 3 hours and double time thereafter. Sunday - double time. |
| Plant Operator | Time and one-half for the first 8 hours on any day and double time thereafter. |

- (d) Painters engaged in painting traffic lines in the City of Brisbane outside the ordinary working hours prescribed in clause 15.2 shall be paid at the rate of time and one-quarter for all time so engaged.

- (e) Operational services employees who drive special cleansing vehicles and who are engaged on permanent night work shall be paid an additional allowance of 15% for all ordinary time worked on such shifts Monday to Saturday, inclusive.

16. Meal breaks

- (a) All employees who work in excess of 5 hours on any day shall be allowed not less than 30 minutes and not more than 60 minutes for an unpaid meal break between the fourth and sixth hours of duty.
- (b) Where an employee is directed to continue work beyond 6 hours from the start of ordinary time without having had a meal break, all time subsequently worked shall be paid at double time until an unpaid meal break of at least 30 minutes has commenced or the employee ceases their ordinary hours of work for the day.
- (c) All shift workers shall be allowed not less than 30 minutes for a paid crib break with such break being taken at a time which maintains the continuity of work.
- (d) An Operational services employee required to work underground or in a trench exceeding 4.6m in depth shall be allowed a paid 30 minute crib break on the surface in ordinary time.
- (e) Except in cases of emergency, no employee shall be required to work more than 6 hours without a break of the prescribed duration for a meal.

17. Rest pauses

- (a) All employees are entitled to a paid rest pause of:
 - (i) a total of 10 minutes for an employee who works for more than 4 hours but less than 6 ordinary hours in any day; and
 - (ii) a further 10 minutes for an employee who works for at least 6 ordinary hours in any day.
- (b) Where there is agreement between the Council and the majority of employees concerned the rest pauses may be combined into one 20 minute rest pause to be taken in the first part of the ordinary working day, with such 20 minute rest pause and the meal break arranged in such a way that the ordinary working day is broken up into three approximately equal working periods. Consent to combine the rest pauses shall not be unreasonably withheld by either party.
- (c) All rest pauses shall be taken at such times as will not interfere with the continuity of work where such continuity is necessary.

18. Overtime

18.1 Overtime - general

Council may require an employee to work reasonable overtime at overtime rates.

18.2 Payment for overtime - day workers

Except as provided elsewhere in this Award:

- (a) All authorised overtime worked by an employee in excess of their ordinary daily hours of duty or outside their spread of ordinary working hours on any day, Monday to Friday, shall be paid:
 - (i) For a Building trades employee - at the rate of time and one-half for the first 2 hours and double time thereafter.

- (ii) For all other employees - at the rate of time and one-half for the first 3 hours and double time thereafter.
- (b) (i) Where an Operational services or Engineering/Electrical trades employee is required to report for work between 0600 and their ordinary starting time they shall be paid at overtime rates up to their ordinary starting time and then at their ordinary time rate.
- (ii) Where a Building trades employee is required to report for work within 2 hours of their ordinary starting time they shall be paid overtime at the rate of time and one-half up to their ordinary starting time and then at their ordinary time rate.
- (c) (i) Where an Operational services employee is required to report for overtime between 0000 and 0600 or required to continue to work overtime after 2400, Monday to Friday inclusive, they shall be paid at the rate of double time for all overtime so worked up to their ordinary starting time Monday to Friday, inclusive, and for all overtime worked on the Saturday.
- (ii) Where an Engineering/Electrical trades employee is required to report for overtime between 0000 and 0600 they shall be paid at the rate of double time for all overtime so worked up to their ordinary starting time Monday to Friday, inclusive, and up to 0700 on Saturday.
- (iii) Where a Plant Operator is required to report for overtime between 0000 and 0600 they shall be paid in accordance with clause 18.4(e).
- (d) All authorised overtime worked by an employee on a Saturday shall be paid:
 - (i) For a Building trades employee - at the rate of time and one-half for the first 2 hours and double time thereafter, with a minimum payment as for 3 hours' work.
 - (ii) For an Operational services employee - at the rate of time and one-half for the first 3 hours and double time thereafter, with a minimum payment as for 4 hours' work.
 - (iii) For all other employees - at the rate of time and one-half for the first 3 hours and double time thereafter, with a minimum payment as for 3 hours' work.
 - (iv) Where an Operational services employee is required to report for overtime between 0000 and 0600 on Saturday they shall be paid at the rate of double time for all overtime worked on the Saturday.
 - (v) Where an Engineering/Electrical trades employee is required to report for overtime between 0000 and 0600 on Saturday they shall be paid at the rate of double time for all overtime so worked up to 0700. Where work commences after 0600 the overtime rate specified in clause 18.2(d)(iii) applies.
- (e) All authorised overtime worked by an employee on a Sunday shall be paid at the rate of double time, with a minimum payment as follows:
 - (i) For an Operational services employee - as for 4 hours' work.
 - (ii) For a Plant Operator - as for 2 hours' work.
 - (iii) For all other employees - as for 3 hours' work.
- (f) All authorised overtime worked by an employee on a rostered day off shall be paid:

- (i) For a Building trades employee - at the rate of time and one-half for the first 2 hours and double time thereafter, with a minimum payment as for 3 hours' work.
 - (ii) For all other employees - at the rate of time and one-half for the first 3 hours and double time thereafter, with a minimum payment as for 3 hours' work.
- (g) All authorised overtime worked by an employee on a public holiday shall be paid at the rate prescribed in clause 23.
- (h) The minimum payments provided in clauses 18.2(d) and (e) shall not apply where such overtime is performed immediately preceding or following ordinary hours.
- (i) A Building trades employee who, after having been notified to do so, reports for overtime on a Saturday, Sunday or public holiday and is unable to work through wet weather shall receive payment for 3 hours at their ordinary time rate.
- (j) Meal breaks on overtime and overtime meal or meal allowance entitlement in accordance with clause 13.1.3 will be as follows:
- (i) Operational services employees (OSE):

| Condition/s | Duration of break and timing | Meal provided or allowance paid under clause 13.1.3 | Paid Meal Break | Rate |
|---|--|---|-----------------|----------------|
| (OSE - A) Any employee working overtime immediately after their ordinary working day: | | | | |
| Overtime worked for more than one hour after ordinary ceasing time | (1) 30 mins after the first hour of overtime worked | Yes | Yes | Overtime rates |
| | (2) 45 mins every 4 hours worked after the first hour of overtime worked | Yes | Yes | Overtime rates |

- (ii) Engineering/Electrical trades employees (E/E):

| Condition/s | Duration of break and timing | Meal provided or allowance paid under clause 13.1.3 | Paid Meal Break | Rate |
|--|--|---|-----------------|----------------|
| (E/E - A) Any employee working overtime immediately after their ordinary working day or shift: | | | | |
| Overtime worked for more than 1 ½ hours after ordinary ceasing time | (1) 30 mins within 1 ½ hours of ordinary ceasing time | Yes | Yes | Ordinary rate |
| | (2) 30 mins every 4 hours after the first 1 ½ hours of overtime worked | Yes | Yes | Overtime rates |
| (E/E - B) Any employee who is required to return or come in to the workplace to perform overtime on any of the employee's ordinary working days (other than a public holiday): | | | | |

| | | | | |
|---|---|----|-----|----------------|
| | (1) 30 mins on the completion of each 4 hours of overtime worked | No | Yes | Overtime rates |
| (E/E - C) Any employee who is required to report to perform overtime prior to ordinary starting time: | | | | |
| | (1) 30 mins to be taken upon the commencement of ordinary starting time, where overtime worked is more than 2 hours (but less than 4 hours) before the commencement of ordinary starting time | No | Yes | Ordinary rate |
| (E/E - D) A day worker working overtime on a weekend or public holiday outside the scope of (E/E - A) to (E/E - C): | | | | |
| | (1) 30 to 60 mins, 6 hours after commencing work if greater than 6 hours overtime is performed | No | No | N/A |
| | (2) 30 mins after the first 9 ½ hours of overtime worked - including overtime referred to in (E/E - D)(1) | No | Yes | Overtime rates |
| | (3) 30 mins for each 4 hours after the first 9 ½ hours of overtime worked | No | Yes | Overtime rates |

(iii) Building trades employees (BT):

| Condition/s | Duration of break and timing | Meal provided or allowance paid under clause 13.1.3 | Paid Meal Break | Rate |
|--|---|---|-----------------|----------------|
| (BT - A) Any employee working overtime immediately after their ordinary working day: | | | | |
| | (1) 30 mins where overtime is worked for more than 2 hours after ordinary ceasing time, or after one hour if the overtime is worked beyond 1800 | Yes | Yes | Overtime rates |
| | (2) 45 mins after each period of 4 hours overtime worked after (BT - A)(1), provided the employee is required to continue working thereafter | Yes | Yes | Overtime rates |
| (BT - B) Any employee working overtime on a Saturday or Sunday: | | | | |
| | (1) 30 mins after 5 hours of commencement of overtime | No | No | N/A |
| | (2) 30 mins where the employee is required to continue overtime beyond | Yes | Yes | Overtime rates |

| | | | | |
|--|--|-----|-----|----------------|
| | 9 hours | | | |
| | (3) 45 mins after each period of 4 hours overtime worked after (BT - B)(2), provided the employee is required to continue working thereafter | Yes | Yes | Overtime rates |

(iv) Plant Operators (PO):

| Condition/s | Duration of break and timing | Meal provided or allowance paid under clause 13.1.3 | Paid Meal Break | Rate |
|--|---|---|-----------------|----------------|
| (PO - A) Any employee working overtime immediately after their ordinary working day (excluding shift workers or continuous shift workers): | | | | |
| | (1) 30 mins after the first hour of overtime worked | Yes | Yes | Overtime rates |
| | (2) 45 mins after each further 4 hours of overtime worked | Yes | Yes | Overtime rates |
| (PO - B) Any employee working overtime on a Saturday or Sunday (excluding shift workers or continuous shift workers): | | | | |
| | (1) 30 mins after 5 hours of commencement of overtime | No | No | N/A |
| | (2) 30 mins where the employee is required to continue overtime beyond 9 hours | Yes | Yes | Overtime rates |
| | (3) 45 mins after every 4 hours overtime worked after (PO - B)(2), provided the employee is required to continue working thereafter | Yes | Yes | Overtime rates |

(v) Miscellaneous Workers (MW):

| Condition/s | Duration of break and timing | Meal provided or allowance paid under clause 13.1.3 | Paid Meal Break | Rate |
|---|--|---|-----------------|----------------|
| (MW - A) Any employee working overtime immediately after normal ceasing time: | | | | |
| Where work is to continue beyond 4 hours | (1) 30 mins after 2 hours' work, or after 1 hour where such overtime continues beyond 1800 | Yes | Yes | Overtime rates |
| (MW - B) In all other circumstances: | | | | |
| | (1) 30 mins after 5 hours of | Yes | Yes | Overtime |

| | | | | |
|--|--|-----|-----|----------------|
| | overtime if the employee is required to continue to work beyond 5 hours | | | rates |
| | (2) 45 minutes after each additional period of 4 hours where the employee is required to work beyond the period in (MW - B)(1) | Yes | Yes | Overtime rates |

18.3 Payment for overtime - shift workers

- (a) Subject to clause 18.3(b), all shift workers are to be paid for all overtime at the rate of double time.
- (b) All authorised overtime worked by a shift worker on a public holiday shall be paid at the rate prescribed in clause 23.

18.4 Recall to duty - non stand by employees

- (a) Subject to clauses 18.4(d), (e) and (f), an employee (other than an employee on stand by) who is:
 - (i) recalled to work planned or unplanned overtime after ceasing work on one of their ordinary working days, whether notified before or after leaving the Council's premises; or
 - (ii) who was not notified before commencement of work on that day that they were required to return to work to perform such overtime and who returns home on completion of such overtime work,

shall be paid a minimum payment of 4 hours at the appropriate overtime rates for each time they are required to work. The minimum payment shall not apply where the overtime is performed immediately preceding and/or is continuous with ordinary hours of duty.

- (b) Where an employee is recalled after leaving the workplace, payment is from the time of contact to commence that work until they return home from that work, but they must leave and return home within a reasonable time.
- (c) Except in the case of unforeseen circumstances arising, the employee shall not be required to work the full 4 hours if the work they were recalled to perform is completed in a shorter period.
- (d) The 4 hours minimum, as outlined at clause 18.4(a) will be replaced by 2 hours minimum for the following employees:
 - (i) Miscellaneous Workers, but only if notice of the requirement to perform such overtime was provided prior to ceasing ordinary hours on that day; and
 - (ii) Plant Operators.
- (e) Where a Plant Operator is recalled to work between 0000 and 0600, they shall be paid at the rate of double time with a minimum payment as for 2 hours' work for all time worked up to the ordinary starting time Monday to Friday, inclusive, and up to 0700 Saturday.
- (f) An Operational services employee or a Building trades employee not on stand by who is required to remotely monitor and/or access computer systems and the like, to address issues, shall be paid from the initial contact for a minimum of 2 hours at the appropriate overtime rate.

18.5 Stand by - additional payment

- (a) A **stand by employee** means an employee who is required to be available to attend to break downs and/or for work that cannot wait until the commencement of ordinary work, or to address issues by remote monitoring and/or access.
- (b) For each week an employee is rostered on stand by duty they shall be paid:
 - (i) For an Operational services employee, excluding one engaged in either of the activities described in clause (c) of Schedule 5, and a Building trades employee - an allowance of 21% of the OSE5/BT1 weekly rate of pay as prescribed in clause 12.2.
 - (ii) For a Plant Operator - an allowance of \$101.10 per week.

18.6 Recall to duty - stand by employees - Building trade employees and Operational services employees, excluding one engaged in either of the activities described in clause (c) of Schedule 5

- (a) An employee on stand by who is recalled to work shall be paid at the rate of double time, with a minimum payment as for 3 hours' work, for each recall except for public holidays when any time worked in excess of the minimum of 3 hours shall be paid at the appropriate penalty rate prescribed for working on a public holiday in clause 23.
 - (i) Payment for such work is from the time of contact to commence that work until the employee returns home from that work, but the employee must leave and return home within a reasonable time.
 - (ii) If another call out occurs within 3 hours of the previous call out, and the employee has returned home, another minimum payment as for 3 hours' work shall apply.
 - (iii) If another call is received while 'out on call', overtime payment shall continue and a new minimum payment shall not apply.
 - (iv) If an employee on call is called out before their normal start time and work continues until the commencement of their normal start time, payment will be in accordance with clauses 18.2 and 18.3.
 - (v) The minimum payment shall not apply where the overtime is performed immediately preceding and/or is continuous with ordinary hours of duty.
- (b) Stand by on public holidays - time off in lieu
 - (i) A stand by employee shall be entitled to one day in lieu for each public holiday on which they are required to be on stand by.
 - (ii) An employee can only accrue a maximum of 76 hours time off in lieu. If the accrual is greater than 76 hours at the end of each financial year it shall be paid out at the employee's ordinary time rate as at that time.
- (c) Remote response
 - (i) A stand by employee who is required to remain at home (or designated place) to:
 - (A) respond to phone calls or messages;
 - (B) provide advice (phone fixes);

- (C) arrange the call out of other employees; or
- (D) remotely monitor and/or address issues by remote telephone and/or computer access,

shall be paid one hour at the employee's ordinary time rate for each call received, provided that if another call is received within the hour, another payment shall not be made.

- (ii) Where such a call or work exceeds 30 minutes, the employee shall be paid at the appropriate overtime rate for the duration of the call or time worked on the remote telephone and/or computer access, with the minimum payment to be no less than the equivalent of one hour at the employee's ordinary time rate.
- (iii) If the employee is unable to resolve the issue and is required to leave home to resolve the problem, the employee shall be entitled to paid overtime in accordance with clause 18.6(a) in lieu of the remote response payment prescribed in clause 18.6(c).

18.7 Fatigue break/rest period after overtime

- (a) An employee who works so much overtime:
 - (i) between the termination of their ordinary work on one day or shift, and the commencement of their ordinary work on the next day or shift that they have not had at least 10 consecutive hours off duty between these times, or
 - (ii) on Sundays and public holidays, not being ordinary working days, without having had 10 consecutive hours off duty in the 15 hours preceding their ordinary commencing time on their next ordinary day or shift,

shall be released after completion of such overtime until they have had 10 consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

- (b) The provision of clause 18.7 shall apply in the case of shift workers who rotate from one shift to another as if 8 hours were substituted for 10 hours when overtime is worked:
 - (i) for the purpose of changing shift rosters; or
 - (ii) where a shift worker does not report for duty; or
 - (iii) where a shift is worked by arrangement between the employees themselves.
- (c) If, on the instruction of the Council and giving consideration to work health and safety requirements, the employee resumes work without having had such 10 consecutive hours off duty, the employee shall be paid at double rates until released from duty for such period and shall then be entitled to be absent until the employee has had 10 consecutive hours off duty without loss of pay for ordinary working time during such absence.
- (d) Clause 18.7 does not apply to an employee:
 - (i) who resides or remains on or about their place of work and is required to perform duties on an intermittent basis outside their ordinary hours of duty; or
 - (ii) who has been recalled to duty and the actual time worked is less than 3 hours on each of such recalls.

PART 6 - Leave of Absence and Public Holidays

19. Annual leave

Annual leave is provided for in Division 5 of the QES. Clauses 19.1 to 19.3 supplement the QES.

19.1 Amount of annual leave

- (a) Subject to clause 19.1(b) all employees covered by this Award, other than casuals, shall be entitled to four weeks' annual leave on full pay at the end of each year of service.
- (b) Employees engaged on continuous shift work shall be entitled to one additional week of annual leave for each 12 months so engaged.
- (c) The calculation of annual leave entitlements as prescribed in clauses 19.1(a) and (b) shall be in hours.

19.2 Taking annual leave

- (a)
 - (i) Subject to clause 19.2(a)(ii) untaken annual leave may accumulate from year to year but shall not exceed eight weeks.
 - (ii) In the case of a continuous shift worker, accumulated leave shall not exceed 10 weeks.
- (b) An employee must give reasonable notice in writing to the Council, on the prescribed form, of the date from which the employee desires to take annual leave.
- (c) Managers shall determine the time when annual leave shall be taken and may direct an employee to take leave at any time after it is due. However, as far as practicable, an employee shall be granted leave at a time convenient to the employee and, in any event, shall be given reasonable notice of the time they will be required to take such leave.

19.3 Payment for annual leave

- (a) A shift worker proceeding on annual leave shall be paid:
 - (i) an amount equal to the ordinary rate of wage being paid to the employee immediately before the employee takes the leave for the period of such leave calculated according to the employee's roster or projected roster, including Saturdays, Sundays, public holidays and shift allowances prescribed in clause 15.5; or
 - (ii) an amount equal to the ordinary rate of wage being paid to the employee immediately before the employee takes the leave for the period of such leave plus a loading of 17.5% on 4 or 5 weeks' annual leave as the case may be, calculated on the rate of wage prescribed in clause 12.2 for their classification,

whichever is the higher.

- (b) Other employees proceeding on annual leave shall be paid:
 - (i) an amount equal to the ordinary rate of wage being paid to the employee immediately before the employee takes the leave for the period of such leave; and
 - (ii) a loading of 17.5% on 4 weeks' annual leave calculated on the rate of wage prescribed in clause 12.2 for their classification and paypoint.

20. Personal leave

Personal leave is provided for in Division 6 of the QES. Clauses 20.1 to 20.4 supplement the QES.

20.1 Accumulation and payment

- (a) An employee, other than a casual employee, is entitled to 12 days' personal leave on full pay for each completed year of employment, the unused portion of which will accrue from year to year. The year is measured from the employee's personal leave accrual start date.
- (b) For the purposes of clause 20.1(a), a **day** is equivalent to 1/5th the ordinary hours of work for a full-time employee. Personal leave is calculated on a *pro rata* basis for part-time employees.
- (c) Personal leave will accumulate progressively during a year of employment.
- (d) Personal leave is accessible once an employee has worked for Council for a minimum period of six weeks.
- (e) Personal leave is available for an employee:
 - (i) Who is unable to perform their duties on account of illness or injury (except for those covered by workers' compensation).
 - (ii) Who is the primary care giver and is required to care for or support a member of their immediate family or household.
- (f) A maximum of 15 personal leave days of accrued personal leave entitlements (*pro rata* for part-time employees) is able to be accessed by an employee in any one year for caring requirements.
- (g) Payment for personal leave will be made based on the number of ordinary hours which would have been worked by the employee if the employee were not absent on personal leave.
- (h) Personal leave will not be paid out on cessation of employment under any circumstances.
- (i) While on annual leave, if an Operational services employee, Plant Operator or Miscellaneous Worker is certified by a duly qualified registered medical practitioner as being incapacitated to an extent that the employee would be unfit to perform their normal duties for a period of not less than five days, such period shall, on the application of the employee concerned, be debited against the employee's accrued sick leave and a corresponding annual leave credit allowed.

20.2 Notice requirements

- (a) Where an employee is to be absent for the reasons described at clause 20.1(e), the employee must promptly notify their immediate supervisor of:
 - (i) the reason for the absence from work; and
 - (ii) the approximate period for which the employee will be absent.
- (b) An employee's access to personal leave is conditional on the employee meeting the above requirements at clause 20.2(a).

20.3 Supporting evidence

- (a) **Absence due to illness or injury:** If an employee is absent from duty for more than two days due to illness or injury, the employee's entitlement to paid personal leave is conditional on:

- (i) the employee giving the Council a medical certificate from a registered medical practitioner detailing the nature of the illness or injury and the approximate period for which the employee will be absent; or
 - (ii) the employee giving the Council other evidence of the illness or injury to the Council's satisfaction.
- (b) An employee is only able to access five absences (occurrences) of up to two days on paid personal leave due to illness or injury in a 12 month period without providing a medical certificate. For every request of personal leave for the remainder of that particular 12 month period, a medical certificate from a registered medical practitioner or other evidence to the Council's satisfaction must be provided in order for the employee to be entitled to paid personal leave.
- (c) The 12 month period is measured from the employee's personal leave accrual start date.
- (d) **Absence due to carer requirements:** If an employee is unable to attend work due to carer requirements, the employee may be required by the Council to provide a medical certificate from a registered medical practitioner. Where this is required the documentation must state:
- (i) the name of the person being cared for;
 - (ii) the relationship to the employee;
 - (iii) that the person being cared for is ill; and
 - (iv) the illness is such as to require care by another person.

20.4 Bereavement leave

- (a) Bereavement leave is provided for in Division 6 of the QES. Clause 20.4(b) supplements the QES.
- (b) If an employee, except a casual employee, is responsible for all funeral arrangements one additional paid bereavement leave day is available upon application.

21. Parental leave

- (a) Parental leave is provided for in Division 8 of the QES and covers:
 - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
 - (ii) adoption leave; and
 - (iii) surrogacy leave.
- (b) Clauses 21.1 and 21.2 supplement the QES.

21.1 Commencement of parental leave

- (a) Unless agreed otherwise between the Council and the employee, an employee may commence parental leave at any time within six weeks immediately prior to the expected date of the birth of their child. If recommended by a registered medical practitioner an employee may commence unpaid parental leave at any time during the term of the pregnancy.
- (b) Where an employee continues to work within the six week period immediately prior to the expected date of birth, or where the employee elects to return to work within six weeks after the birth of the child, the Council may require the employee to provide a medical certificate stating that she is fit to work on her normal duties.

21.2 Paid parental leave

Paid parental leave is available to full-time and part-time permanent employees after 12 months' continuous service. Paid parental leave is also available to temporary and long term casual employees after regular and systematic employment of at least two years immediately before the employee seeks to access this entitlement, as follows:

- (a) paid maternity leave of 14 weeks, available immediately after confinement; or
- (b) paid paternity and partner leave of 4 weeks, available as one block at any time within 12 months of the birth of the child, but generally in association with the birth and bringing home of the child.
- (c) For the purposes of clause 21.2(b) **partner** means the parent in a partnership/marriage who is not the birth parent but who will play a key parental role. Partnership refers to those who are in a same sex relationship, legally married or in a de-facto relationship.

22. Long service leave

Long service leave, including for casual employees, is provided for in Division 9 of the QES. Clauses 22(a) to (f) supplement the QES.

- (a) At the completion of 10 years' continuous service employees are entitled to 13 weeks long service leave on full pay.
- (b) For periods of continuous service greater than 10 years, long service leave will be calculated at the rate of one and three-tenths of a week on full pay for each year of continuous service.
- (c) After 10 years' continuous service a part-time or casual employee shall be eligible to the proportionate entitlement of long service leave.
- (d) An employee's continuous service ends if the employment is broken by more than three months between the end of one employment contract and the start of the next employment contract.
- (e)
 - (i) Recognition of previous service with a Commonwealth, State or Local Government authority shall be given for the purpose of calculating long service leave, where the Commonwealth, State or Local Government authority has in existence a reciprocal arrangement with the Council, provided that continuity of service with or between the relevant authority and Council shall not be broken.
 - (ii) For recognition of previous service to occur, the employee must commence service with the Council within three months of termination of service with a recognised body.
- (f) Long service leave portability between Council and other local government/s will apply where provided for in relevant legislation.

23. Public holidays

Public holidays are provided for in Division 10 of the QES. Clauses 23(a) to (e) supplement the QES.

- (a) All work performed by an employee on:
 - 1 January (New Year's Day)
 - 26 January (Australia Day)
 - Good Friday
 - Easter Saturday (The day after Good Friday)
 - Easter Sunday
 - Easter Monday

- 25 April (ANZAC Day)
- Birthday of the Sovereign
- Labour Day
- Show Holiday
- 25 December (Christmas Day)
- 26 December (Boxing Day), or
- any day appointed under the *Holidays Act 1983* to be kept in place of any such holiday,

shall be paid for at the rate of double time and one-half with a minimum payment as for 4 hours' work.

- (b) Where a public holiday is substituted to the next working day due to falling on a weekend, an employee who is required to work on both an observed and actual public holiday shall be paid the penalty rate prescribed in clause 23(a) for working on the observed public holiday only.
- (c) Where an observed public holiday is gazetted as being in addition to an actual public holiday, an employee who is required to work on both the observed and actual public holiday shall be paid the penalty rate prescribed in clause 23(a) for working on each public holiday.
- (d) If any public holiday listed in clause 23(a) falls on a day that a shift worker is rostered off duty, that employee shall have an extra day added to their annual leave entitlement.
- (e) All time worked by any employee on any of the above-mentioned public holidays outside the ordinary starting and finishing times observed by such employee for the day of the week on which such public holiday falls shall be paid for at double the rate prescribed by this Award for such time when work is performed outside the ordinary starting and finishing times on that day.

24. Jury service

Jury service is provided for in Division 12 of the QES.

PART 7 - Transfers, Travelling and Working Away from Usual Place of Work

25. Excess travelling time and fares

- (a) A regular shop, workshop or depot Building trade employee sent out by their Manager to any job and who travels in the Council's time shall be provided with appropriate transport or paid all fares actually incurred from the shop, workshop or depot to the job and return.
- (b) (i) An employee who is directed by their Manager to start and/or finish work at a worksite, other than a depot or recognised centre, who travels by their own means (not being a Council vehicle) and in their own time on an ordinary working day shall be paid an allowance to compensate for the excess fares and travelling time incurred, as follows:

| Classification | Type | Rate of payment |
|---|--|---|
| Operational services employee (excluding one engaged in either of the activities described in clause (c) of Schedule 5) | non-construction employee | 30 min/day at the OSE Gr 5 rate |
| | <4.8km from GPO (construction employee) | 15 min/day at the ordinary rate |
| | 4.8km-8km from GPO (construction employee) | 30 min/day at the ordinary rate |
| | 8km-16km from GPO (construction employee) | 1 hr/day at the ordinary rate |
| | >16km from GPO (construction employee) | 2 hrs/day at the ordinary rate |
| Engineering/Electrical trades employee | Travel to any location | Paid for all excess travelling time in excess of 20 minutes per day at ordinary rates, except on Sundays and public holidays when it shall be |

| Classification | Type | Rate of payment |
|--------------------------|--|--|
| | | time and one-half, plus any reasonable excess public transport costs associated with getting to and from the temporary location. |
| Building trades employee | Travel in own time (up to 50km from GPO) | \$13.21/day |
| Plant Operator | Within BCC boundary | \$15.28/day |
| | Outside BCC boundary | \$15.28/day + additional travelling time (min. of 15 minutes) |

- (ii) In addition to the provisions of clause 25(b)(i), where an employee is required by the Council to travel from job to job on the same day the Council shall reimburse all fares reasonably incurred by the employee in travelling from the job where the employee commenced work to the job on which the employee finished work for the day, or pay the employee the mileage allowance prescribed in clause 13.1.2 for each kilometre travelled.
- (c) In lieu of the provisions contained in clause 25(b) an Operational services employee (excluding one engaged in either of the activities described in clause (c) of Schedule 5), Engineering/Electrical trades employee, Building trades employee or Plant Operator who is directed to travel in their own time and by their own means and who starts or finishes at the work location at the normal starting or ceasing time is to be paid:
- (i) to a work location within a reasonable distance of their permanent workplace, depot or workshop - up to 30 minutes per day, calculated at the rate prescribed for an OSE 5 / C10 / BT1 level employee; or
- (ii) to any other work location within Council boundaries - up to one hour per day at the rate prescribed for OSE 5 / C10 / BT1 level employee.
- (d) The relevant Manager shall be responsible for determining which time value of the allowances in clause 25 shall be paid based on the work location/s concerned. No employee remunerated under clause 25(c) shall be paid less than the rates prescribed in clause 25(b).
- (e) For the purposes of clause 25, **worksite** shall mean any worksite of a temporary nature that does not afford the usual accepted standards of permanent facilities and amenities.

PART 8 - Training and Related Matters

26. Training arrangements and career path development

- (a) The parties agree that the Award classification structure and reclassification processes create a more genuine career path for employees which allows advancement based on relevant accreditation, access to training, and the business needs of the Council. Accordingly, the parties commit themselves to:
- (i) developing a more highly skilled and flexible workforce;
- (ii) providing employees with career opportunities through appropriate training to acquire additional skills;
- (iii) removing demarcation and discriminatory barriers; and
- (iv) removing barriers to the utilisation of skills acquired.

- (b) The relevant consultative committee will advise and assist in the development of training programs consistent with:
 - (i) business needs, as reflected in the size, structure, and nature of Council operations.
 - (ii) the current and future skill needs of the Council.
 - (iii) the need to develop vocational skills relevant to the Council through on-the-job competency development and courses conducted internally by accredited providers or through external providers such as TAFE.
- (c) Training programs - Any work subject to the coverage of this Award may be performed by employees engaged in accordance with the terms of nominated Federal or State Government employment/training programs.

PART 9 - Occupational Health and Safety Matters, Equipment, Tools and Amenities

27. Workplace health and safety

27.1 Engineering/Electrical trades employees

- (a) Repairs shall not be done in lifts, shafts or dangerous places of a similar nature whilst the same are in ordinary use.
- (b) An employee engaged in cutting out work with handsnips shall be relieved of such cutting for the rest of the day after a given period for given gauges as follows:

| | Hours |
|------------------|--------------|
| • 20 to 22 gauge | 2 |
| • 24 gauge | 3 |
| • 26 gauge | 4.5 |
| • 28 gauge | 6 |

- (c) All poles over 10.5 metres in height except those carrying suspension wires only shall be stepped from that height upwards.
- (d) Employees who have to work on poles shall be provided with a ladder or tower wagon. If any such employee is left on a pole, there shall be within 90 metres a ladder or tower wagon. Hauling lines shall be supplied but climbers shall not be used.
- (e) Employees working in wet places shall be supplied by the Council with waterproof clothing and knee boots in good order and condition, and a suitable and safe place for drying wet clothing. A place shall be deemed to be "wet" when water other than rain is continually dropping from overhead so that the clothing of workers employed there will become saturated with water, or where there is water underfoot to a depth exceeding five centimetres, so that the feet of the workers employed there will become wet. No place shall be considered wet where workers are not actually working or where the wetness is caused by a jet or spraying of water.
- (f) Employees working on 200 volts and over, direct current, and on all alternating current live wires, shall, where required, be provided with the necessary insulating tools, rubber mats, or any other necessary protective appliances by the Council.
- (g) Employees emerging copper shall work no longer than one hour at any one time. There shall also be a break of 30 minutes after each such job.

- (h) An Electrician in Charge of Installation, Class I or II, shall not at any time be in charge of more than one self-contained electrical generating plant. A self contained electrical generating plant shall mean one electrical plant which contains one or more sets of prime movers or generators. An electrical motor is not to be regarded as a prime mover.

28. Equipment, tools and amenities

28.1 Operational services employees

Uniforms and protective clothing will be provided to employees in accordance with the agreed arrangements prescribed in the Brisbane City Council Corporate Wardrobe Procedure.

28.2 Building trades employees

- (a) An employee whose clothes, spectacles, hearing aids or tools have been accidentally spoilt by acid, sulphur or other deleterious substances, shall be paid such amount to cover the loss thereby suffered by the employee as may be agreed upon between the employee and the Council or, in default of agreement, as may be fixed by the Commission. However, should the employee's clothes be issued to the employee by the Council, the Council will have the option to issue new replacement clothing based on a fair wear and tear basis.
- (b) The Council shall be required to provide the following tools and appliances where necessary: chain wrenches, pipe cutters, plumbing irons, ratchets, stocks and dies, taps and drills, vices, soldering iron, files, hacksaw blades, hammers over 0.9 kilos in weight, pinch bars, and all pipe tongs 300 mm and over in length, chamois leather, gilding tip, gilding knife, gilding brush, signwriter's mop, dagger liner, sponge, pliers, claw hammer, screw driver, stripping knife, large compass, duster, perspex square, tracing wheel, T square, sign cutter, glass cutters and putty knife.
- (c) When the Council requires an employee to wear spectacles with toughened glass lenses the Council will pay the costs of the toughening process.

28.2 Engineering/Electrical trades employees

- (a) The Council shall provide their employees with suitable accommodation for the preservation of the employees' tools and clothes.
- (b) The Council shall provide boiling water ready for meal times and rest pauses.
- (c) Where practicable suitable shelter shall be provided for all employees.
- (d) All employees shall be allowed such reasonable time as the Council deems necessary during working hours in each week to put their tools, benches and/or machines in order.
- (e) All precision tools over 300 millimetres in length, micrometers, verniers and dial indicators shall be provided by the Council.
- (f) Where it is customary to do so, all portable power tools, special tools, hammers, chisels, spanners, hacksaws, blades, scrapers, files, taps, dies, wrenches, pipe dies, clamps, jacks, tackle, heating appliances, handsaws, stocks, pipe grips (over 250 millimetres), saw files, snips, hand drills, rivet sets, cramps and parallel shank drills etc shall be provided by the Council.
- (g) Employees in maintenance work required to carry the Council's tools or spare parts continuously shall be provided with a suitable receptacle.

PART 10 - Union Related Matters

29. Union encouragement

- (a) At the point of engagement, the Council shall provide employees with a document indicating that a Statement of Policy on union Encouragement has been issued by the Commission, a copy of which is to be kept on the premises of the Council in a place readily accessible by each employee.
- (b) The document provided by the Council shall also identify the existence of a union encouragement clause in this Award.

30. Union delegates

- (a) Union delegates and job representatives have a role to play within a workplace. The existence of accredited union delegates and/or job representatives is encouraged.
- (b) The Council shall not unnecessarily hinder accredited union delegates and/or job representatives in the reasonable and responsible performance of their duties.

31. Industrial relations education leave

- (a) Upon written application by the union to the Council at least 6 weeks in advance (or such lesser period as mutually agreed between the union and Council), a union delegate or duly elected or appointed union representative who has an application endorsed by the union shall be granted up to 5 working days' leave (non-cumulative) on ordinary pay each calendar year to attend courses or seminars conducted by the union or specific training courses approved and accredited by the union. The scope, content and level of such courses or seminars shall be such as to contribute to a better understanding of industrial relations within the Council's operations. Other courses mutually agreed between the union and the Council may be included under clause 31.
- (b) The written application by the union seeking release of a delegate or representative to attend a course shall include details of the type and content of the course to be attended as well as the dates upon which the course is proposed to be conducted.
- (c) For the purposes of clause 31 **ordinary pay** means the ordinary weekly rate paid to the employee exclusive of any allowances or penalty rates for travelling time, fares, shift work or overtime.
- (d) Leave shall be granted subject to the following conditions:
 - (i) Unless otherwise agreed, the maximum number of ordinary hours of industrial relations education training leave and/or maximum absence at one time which the Council shall be required to grant each year will be as per clauses 31(d)(ii) and (iii).
 - (ii) For each occupational stream, excluding Building trades employees:

| No. of employees engaged in each occupational stream | No. of ordinary hours industrial relations education training per calendar year | Maximum absence at one time |
|--|---|-----------------------------|
| Up to 15 | 38 hours | 1 |
| 16 up to 30 | 76 hours | 2 |
| 31 up to 50 | 114 hours | 3 |
| 51 or more | 152 hours | 4 |

- (iii) For Building trades employees only:

- (A) An employee must have at least 12 months' uninterrupted service prior to such leave being granted.
- (B) Subject to clause 31(d)(iii)(C) the maximum number of employees attending a course or seminar at the same time will be as follows:

| No. of employees | Maximum absence at one time |
|--------------------|-----------------------------|
| 5 to 100 employees | 2 |
| over 100 employees | 4 |

- (C) Where the employer has more than one place of employment in Queensland, then the formula above shall apply to the number of employees employed in or from each individual place of employment.
- (D) The scope, content and level of the course shall be such as to contribute to a better understanding of industrial relations within the employer's operations.
- (iv) The employee must have at least six months' continuous service with the Council prior to such leave being granted, or twelve months as per clause 31(d)(iii)(A), and be an elected union delegate/representative.
- (v) The granting of such leave shall be subject to the convenience of the Council so that the operations of the enterprise will not be adversely affected.
- (vi) The Council shall advise the union within 14 days whether the application for industrial relations education training has been agreed or otherwise. If the request is not agreed to, the Council shall state the reasons for such rejection.
- (vii) If the union does not accept the reasons for rejection provided by the Council, any dispute will be resolved in accordance with the grievance and dispute settling procedure at clause 7.1.
- (viii) In granting such paid leave, the Council is not responsible for any additional costs except the payment of extra remuneration where relieving arrangements are instituted by the Council to cover the absence of the employee.
- (ix) Leave granted to attend such training courses will not incur any additional payment or alternate time off if such course coincides with an employee's rostered day off.
- (x) Such paid leave will not affect other leave granted to employees under this Award.
- (xi) On completion of the course the employee shall, upon request, provide to the Council proof of their attendance at the course. Except in the case of sick leave or other authorised leave, non-attendance at a training course will result in the employee not being paid for such time.

32. Right of entry

- (a) Authorised industrial officer
 - (i) An 'authorised industrial officer' is any union official holding a current authority issued by the Industrial Registrar.
 - (ii) Right of entry is limited to workplaces where the work performed falls within the registered coverage of the union.
- (b) Entry procedure

- (i) An authorised industrial officer may enter a workplace at which the Council carries on a calling of the officer's organisation, during the Council's business hours, to exercise a power under Chapter 9, Part 1, Division 5, Subdivision 2 of the Act as long as the authorised industrial officer:
 - (A) has notified the Council or the Council's representative of the officer's presence; and
 - (B) produces their authorisation, if required by the Council or the Council's representative.
 - (ii) Clause 32(b)(i) does not apply if, on entering the workplace, the officer discovers that neither the Council nor the Council's representative having charge of the workplace is present.
 - (iii) A person must not obstruct or hinder any authorised industrial officer exercising their right of entry.
 - (iv) If the authorised industrial officer does not comply with a condition of clause 32(b)(i) the authorised industrial officer may be treated as a trespasser.
- (c) Inspection of records
- (i) An authorised industrial officer is entitled to inspect the time and wages record required to be kept under section 339 of the Act.
 - (ii) An authorised industrial officer is entitled to inspect such time and wages records of any current employee except if the employee:
 - (A) is ineligible to become a member of the authorised industrial officer's union; or
 - (B) has made a written request to the Council that they do not want their record inspected.
 - (iii) The authorised industrial officer may make a copy of the record, but cannot require any help from the Council.
 - (iv) A person must not, by threats or intimidation, persuade or attempt to persuade an employee or prospective employee to make, or refuse to make, a written request to the Council or prospective employer that the record not be available for inspection by an authorised industrial officer.
- (d) Discussions with employees
- An authorised industrial officer is entitled to discuss with the Council, or a member or employee eligible to become a member of the union:
- (i) matters under the Act during working or non-working time; and
 - (ii) any other matter with a member or employee eligible to become a member of the union, during non-working time.
- (e) Conduct
- (i) The Council must not obstruct the authorised industrial officer exercising their right of entry powers.

- (ii) An authorised industrial officer must not wilfully obstruct the Council, or an employee during the employee's working time.

Note: Clause 32 - Right of entry, deals with comparable provisions contained within the Act. In order to ensure the currency of existing legal requirements parties are advised to refer to Chapter 9, Part 1, Division 5 of the Act as amended from time to time.

Schedule 1 - Owner Drivers

PART 1 - OWNER DRIVERS

- (a) An owner driver, when on annual leave and on days not worked by mutual arrangement including personal leave, public holidays as mentioned in Part 6 of this Award and during stoppages owing to wet weather, shall be paid at the rate applicable to a driver of the relevant class of vehicle as prescribed in clause 12.2 of this Award.
- (b) **Load and capacity**
- (i) No load shall exceed the limit prescribed by or under any Queensland State Act.
- (ii) Where the terms **carrying capacity** or **capacity** are used in this Schedule, they shall mean the capacity claimed by the maker or agent in the catalogue, price list, or compliance plate.
- (iii) When the maker's or agent's catalogue, price list or compliance plate are not available, capacity shall be that registered under the *Transport Operations (Road Use Management - Vehicle Registration) Regulation 2010*.
- (c) **Rates of payment**
- (i) The ordinary wage rate of an owner driver is to be in accordance with clause 12.2 of this Award based on the relevant class of vehicle driven by the owner driver.
- (ii) Where an owner driver is employed as a casual employees they shall be paid a rate of 23% in excess of their ordinary rate as prescribed in clause 12.2 of this Award.
- (iii) In the case of an owner driver working overtime, overtime rates shall be paid on the wage of the driver and use of the truck shall be paid in accordance with the "hire" rate set out in Table 1 of Part 2 of this Schedule.

PART 2

2.1 Schedule of truck hire rates for Owner drivers

An owner driver required by Council to use their own motor vehicle shall, in addition to the rates prescribed in clause 12.2 of this Award, be paid a hire rate to compensate for the fixed and operational costs of the vehicle in accordance with the rates set out in Table 1 below:

Table 1

| TYPE / CAPACITY | WEEKLY RATE \$* Inc. first 400km | KM RATE after 400km \$ |
|---------------------------------------|-------------------------------------|------------------------------|
| Non Tip Trucks up to and including 1t | 283.14 | 0.218 |
| Tip Trucks Exceeding 1 t / up to 2 t | 335.31 | 0.238 |
| Exceeding 2 t/up to 3 t | 415.47 | 0.280 |
| Exceeding 3 t/up to 4 t | 536.28 | 0.322 |
| Exceeding 4 t/up to 5 t | 660.47 | 0.364 |
| Exceeding 5 t/up to 6 t | 784.66 | 0.406 |
| Exceeding 6 t/up to 7 t | 836.59 | 0.448 |
| Exceeding 7 t/up to 8 t | 939.33 | 0.490 |
| Exceeding 8 t/up to 9 t | 1019.49 | 0.549 |

| TYPE / CAPACITY | WEEKLY RATE \$* Inc. first 400km | KM RATE after 400km \$ |
|---------------------------|---|---------------------------------------|
| Exceeding 9 t/up to 10 t | 1098.52 | 0.607 |
| Exceeding 10 t/up to 11 t | 1178.68 | 0.666 |
| Exceeding 11 t/up to 12 t | 1256.58 | 0.725 |
| Exceeding 12 t/up to 13 t | 1337.87 | 0.785 |
| Exceeding 13 t/up to 14 t | 1415.77 | 0.843 |
| Exceeding 14 t/up to 15 t | 1495.93 | 0.902 |
| Exceeding 15 t/up to 16 t | 1574.96 | 0.961 |

(*Note: The hire rates in column two include a component of 100 kilometres per week for travelling to and from the recognised starting point, as well as the 400 kilometre component mentioned in clause 2.2 (below))

- 2.2** Column two prescribes the minimum weekly hire rate that shall be paid to reimburse an owner driver for the use of their truck based on a minimum operational and fixed cost of 400 kilometres per week which is in compensation for all travel including city traffic and short haul off-road work site situations.
- 2.3** Column three prescribes the kilometre rate for vehicles for any distance travelled in excess of the 400 kilometres as described in clause 2.2 of this Schedule.
- 2.4** In addition to the hire rate and per kilometre allowances prescribed in Table 1 an owner driver engaged in accordance with Schedule 1 of this Award shall be paid travelling time of 30 minutes per day calculated at the rate prescribed for Operational services employee, grade level OSE 5, as amended from time to time.
- 2.5** The hire rate to be paid shall be in accordance with the carrying capacity of the vehicle which is determined by subtracting the tare mass from the gross vehicle mass registered under the *Transport Operations (Road Use Management) Act 1995* and as indicated on the vehicle registration certificate.

PART 3

- 3.1** For any periods of more or less than the ordinary weekly hours and/or days a *pro rata* adjustment to the basic weekly rate as shown in Column two in Table 1 shall be made before calculating any additional kilometric payment.
- 3.2** The truck hire rate shall be calculated in accordance with the following formula:

$$A = WR \times H/Z$$

Where:

- WR** is the weekly rate (\$) (Column two).
H is the actual time worked expressed in hours or part thereof.
Z is the ordinary weekly hours for a normal working week.

PART 4**4.1 Hydraulic crane hire**

Owner drivers whose vehicle is fitted with a hydraulic crane shall be paid an additional rate component on days when the vehicle is engaged to perform work which requires the use of the crane.

| CRANE CAPACITY | RATE PER DAY \$ | RECOMMENDED TRUCK SIZE |
|--|--------------------------------|-----------------------------------|
| Up to 1 tonne metre | 7.59 | Up to 2-3 tonne |
| Over 1 tonne metre but less than or equal to 2 tonne metre | 9.36 | 3-4 t to 5-6 t |
| Over 2 tonne metre but less than or equal to 3 tonne metre | 15.46 | 6-7 t to 7-8 t |
| Over 3 tonne metre but less than or equal to 4 tonne metre | 17.50 | 8-9 t to 10-11 t |
| Over 4 tonne metre | 19.53 | 11-12 t and above |

- 4.2** The hire rate component payable shall be determined by the crane capacity except where a crane is fitted which exceeds the legally recommended capacity for that vehicle. In such instances, the hire rate to be paid shall be the rate applicable to the maximum crane capacity recommended for that vehicle.
- 4.3** At times when the crane is not in use the vehicle weekly hire rate shall be paid at the appropriate rate as specified in Part 2 of this Schedule calculated at the registered Gross Vehicle Mass less Vehicle Tare.

PART 5**Water tank and pump hire**

Where at the request or direction of their team leader, an owner driver uses their own water tank or their own water tank and pump on the job, the Council shall pay the owner driver an amount of \$4.55 per hour for each hour that the owner driver's tank or their own water tank and pump are in use on the job. The said payment shall be in addition to all other payments due to the owner driver under the Award.

Schedule 2 - Classification and Operating Principles - Operational Services Employees

Classification and operating principles

Basis for remuneration

Payment is determined by the skill level of the role, not the tasks undertaken. Therefore, payment does not automatically vary when particular tasks or new tasks are performed. Employees will on occasion perform work of a similar nature and because of the different skill levels required, attract different classification rates. This principle adheres to the concepts of competency based remuneration and payment for skills required.

Working within skill and safety limits

Council may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training consistent with the classification structure of this Award, provided that such duties are not designed to promote deskilling and are in accordance with the *Work Health and Safety Act 2011*.

Further to Agreement reached on 26 April 1988, such tasks may include, but are not limited to:

- minor maintenance and repairs, including use of powered and other hand tools;
- minor field repairs, part replacements; replacing wheels on small mobile plant, light bulbs and other components of equipment utilised by the team to ensure work can continue in a safe and productive manner;
- oxy-acetylene and associated tasks, as required, by suitably skilled employees;
- towing of movable plant to and from work sites;
- small painting jobs, work on pipes and drains;
- minor maintenance on pumps and bleeding compressors;
- minor multi-skilling in scientific and analytical services.

Award flexibility

The parties agree in principle that the Award skill level definitions and agreed classification structures are suitable for the needs of Council, generally more broadly based, more truly reflective of the different skill levels of the tasks now performed, and which shall incorporate the ability for an employee to perform a wider range of duties where appropriate. For example, minor plumbing and maintenance work on water services, truck driving, and plant operation. This ability is limited to the extent of training, accreditation and licensing requirements.

Role evaluation process

When a Division or Business Unit restructures work to meet business needs, or decides to expand operations into new areas or update existing position descriptions as changes become necessary, the position description shall be referred to the Corporate Wages Grading Committee for evaluation. Giving consideration to employee consultation, position description quality, corporate grading consistency and equity. Updating existing Position descriptions need to be agreed by both management and the relevant union/s to ensure the statement reflects work practices required by Council, before being submitted to the Corporate Wages Grading Committee.

The Corporate Wages Grading Committee, including two management representatives and a Union representative and chaired by a HR Consultant, shall utilise the agreed role evaluation procedure to assess and assign a Grade level to the role.

Appointment process

Employees are attached to position descriptions through an appointment selection process when vacancies occur or new roles are created. Employees are selected based on skill, knowledge and relevant experience as assessed against the advertised selection criteria in accordance with the agreed Council merit based recruitment and selection process.

Classification structure - progression

Progression through the Award classification structure is as follows:

- Entry to Grade 3:
 - eligibility for progression will occur by the acquisition of skills assessed (demonstrated competency) on a six monthly basis;
 - the skills to be assessed are selected from related workplace roles within the Entry to Grade 3 range;
 - the skills to be assessed are identified and agreed at the beginning of each assessment period.

- Grade 4 and above:
 - progression by vacancy only;
 - vacancies to be advertised.

Schedule 3 - Classification and Operating Principles - Miscellaneous Workers

Classification and operating principles

Basis for remuneration

Payment is determined by the skill level of the role, not the tasks undertaken. Therefore, payment does not automatically vary when particular tasks or new tasks are performed. Employees will on occasion perform work of a similar nature and because of the different skill levels required, attract different classification rates. This principle adheres to the concepts of competency based remuneration and payment for skills required.

Working within skill and safety limits

The Council may direct an employee to carry out such duties as are within the limits of the employee's skill, competence and training consistent with the classification structure of this Award, provided that such duties are not designed to promote deskilling and are in accordance with the *Work Health and Safety Act 2011* and Regulations.

Award flexibility

The parties agree in principle that the Award skill level definitions and agreed classification structures will be more suitable for the needs of the Council, generally more broadly based, more truly reflective of the different skill levels of the tasks now performed, and which shall incorporate the ability for an employee to perform a wider range of duties where appropriate. This ability is limited to the extent of their training, accreditation and licensing requirements.

Role evaluation process

When a Department or Division, following consultation and agreement with the relevant union/s, decides to restructure work to meet business needs, or decide to expand operations into new areas, position descriptions will be created and graded according to an agreed role evaluation process.

The role evaluation process is designed to meet the following agreed principles:

- allows employee consultation;
- ensures position description quality (content);
- ensures corporate grading consistency; and
- ensures equity.

The position descriptions are to be developed according to an agreed format and to be submitted for role evaluation through the process indicated below:

| | | |
|--|---|---|
| 1. Local work area - Develop and agree Position descriptions | 2. Corporate Wages Grading Committee Establish role grading | Branch/section management - Appoint employees to roles |
|--|---|---|

| Process Steps | Composition | Purpose | Action |
|--------------------------------------|---|--|--|
| 1. Local work area | <ul style="list-style-type: none"> • Employee reps where role exists • Supervisors • Section Head • Facilitator (SDO or Corporate Training Officer) | Develop and agree PD to ensure consistent quality of PD through the use of the structured format | <p>Forward agreed PD to Corporate Grading Committee (Step 2)</p> <p>If no agreement on PD refer to award grievance procedure</p> |
| 2. Corporate Wages Grading Committee | <ul style="list-style-type: none"> • 3 x Inter-Departmental Management reps • Union official • HRD Officer | <p>Establish role grading</p> <p>Ensure corporate consistency</p> | Communicates decision on final grading to Department or Division |

The evaluation of the position descriptions by the Corporate Wages Grading Committee will occur through the application of the agreed role evaluation methodology.

Appointment process

Employees are attached to position descriptions through an appointment selection process when vacancies occur or new roles are created. Employees are selected based on skill, knowledge, and personal attributes, as assessed against the advertised selection criteria in accordance with the agreed Council merit based recruitment and selection process.

Schedule 4 - Classification and Operating Principles - Plant Operators

Definitions of key concepts and terms

certification means the system of skill recognition and accreditation.

accredited course or **nationally accredited course** - is a course which has been constructed to reflect a group of standards which CTQ has endorsed as being appropriate combinations of skills to be available to the Council.

CTQ means **Construction Training Queensland**. CTQ will be the recognised authority (for the purposes of this Award) responsible for developing competency standards for consideration and endorsement by the National Training Board/Australian National Training Authority and the provision of advice and assistance to State and Territory Training Authorities in respect of matters relating to training in the Council and callings covered by this Award, including but not being limited to:

- competency standards,
- curriculum development,
- training courses,
- articulation and accreditation requirements both on and off the job,
- on the job training guidelines, and
- assessment and certification arrangements.

Recognition of Prior Learning or **RPL** means the formal recognition of skill attained through on-the-job experience and/or training and may include formal qualifications (such as overseas qualifications), which have hitherto been unrecognised. RPL principles are incorporated in both the competency standards and in the skill tests developed by CTQ for the various levels of the career structure contained in this Award.

Classification, skill recognition and career development

- (a) The award classification structure is designed to facilitate the improvement of the level of skills of the workforce and to provide a career path for all employees.
- (b) Accordingly, each classification level builds upon the previous level so that the value of employees to the Council increases as the employee progresses through the structure. Skills are built up in a sequential manner through job learnt skills and structured training and the industry training framework developed by CTQ reflects this intent.
- (c) Under the classification structure, an employee's skills are to be formally recognised, at all levels of the structure. Payment will be on the basis of the level of skills required to perform the work of a particular position or job offered by the Council.
- (d) An employee's work role will be outlined on a position description. The position description will be graded against the generic role and skill standard as specified in the classification structure.
- (e) All employees will be attached to position descriptions. This will be either on an individual or group basis, dependant upon the nature of the role and the business needs.
- (f) The Council may direct an employee to carry out such duties as are within the limits of the employee's skill and competency, consistent with the classification structure of this Award, provided that such duties are not designed to promote de-skilling.
- (g) All directions issued by the Council will be consistent with the Council's responsibilities to provide a safe and healthy working environment, in accordance with the *Work Health and Safety Act 2011*.

- (h) The parties to this Award are committed to co-operating positively to increasing the efficiency, productivity and competitiveness of Council, and to enhance the career opportunities and job security of its employees.
- (i) Introduction of new technology including specific plant not covered under the award classification is to be negotiated between the parties.
- (j) The parties agree in principle that the award skill level definitions and agreed classification structures will be more suitable for the needs of Council, generally more broadly based, more truly reflective of the different skill levels of the tasks now performed, and will allow the employee to perform a wider range of duties where appropriate, for example, maintenance work on plant and equipment, truck driving, and general field/operational work, including supervising. This ability is limited to the extent of their training, accreditation and licensing requirements.
- (k) Appointment process

Progression is based on appointment to a vacancy at a higher level through a selection process when vacancies occur or new roles are created. Employees are selected based on skill, knowledge, and personal attributes, as assessed against the selection criteria. Competency assessment will form part of an agreed skill evaluation process when appointments are being determined.

Schedule 5 - Definitions and Position Descriptors - Operational Services Employees

Introduction

- (a) (i) The following classification standards are generic and indicate in broad terms the skills and, in some instances, the type of work that may be required of employees.
- (ii) The work is reflected in a position description that specifies for employees the responsibility and skill requirement of the role.
- (b) The classification standards for multi skilled employees extend across a work and skill range typically performed by employees represented in the following areas (the list is not exhaustive):
- construction and maintenance of roads, drains, pipes, bridges, bushland, parks and gardens;
 - venue maintenance and operational support including front of house and stage;
 - community health services including, cemeteries and crematoria, and city cleansing activities;
 - kerbside management, traffic operations and local law enforcement;
 - tree maintenance, vegetation and pest control;
 - quarry operations;
 - receipt, storage, dispatch and transport of materials and equipment associated with Council activities;
 - maintenance of depot and Council facilities.
- (c) Employees solely engaged in the following activities are also to be classified as Operational services employees:
- (i) street sweeping activities; and/or
- (ii) asphalt carting activities.

Definition of classifications

| Level | Relativity to OSE Grade 5 | Tasks and Functions |
|-------|---------------------------|---|
| Entry | 87.5% | Employees appointed to this grade typically have limited or no relevant work experience. This grade is used to assess the employee's skill level and physical capacity to perform the relevant work. The employee remains in this grade for 6 months and undertakes induction training and competency assessment and works under close supervision in a team environment. |
| OSE 1 | 90% | Upon appointment to this grade an employee is expected to undertake a range of activities at a basic level within a team environment. |
| OSE 2 | 92.5% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that require skills that build on the competencies developed in OSE 1. A typical skill required in this grade would be the operation of small plant and hand-powered tools. |
| OSE 3 | 95% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that require skills that build on the competencies developed in grade 2. |

| Level | Relativity to OSE Grade 5 | Tasks and Functions |
|--------------|---------------------------|---|
| | | <p>An employee at this grade may be expected to co-ordinate a small work team, to drive and operate specific vehicles or plant.</p> <p>Examples of typical vehicles associated with roles at this grade are as follows:</p> <ul style="list-style-type: none"> • vehicles not exceeding 4.5 Tonne G.V.M. |
| OSE 4 | 97.5% | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 3.</p> <p>An employee at this grade may be required to provide limited supervision, to drive and operate specific vehicles or plant.</p> <p>Examples of typical vehicles associated with roles at this grade are as follows:</p> <ul style="list-style-type: none"> • 2 axle rigid vehicle or any other rigid vehicle exceeding 4.5 tonne G.V.M. and up to 13.9 tonne G.V.M., inclusive (unless by special permit or registration such vehicle may be up to 15 tonne G.V.M.). |
| OSE 5 | 100% | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 4.</p> <p>An employee at this grade may be required to provide supervision to a work team, to drive and operate specific vehicles or plant.</p> <p>Examples of typical vehicles associated with roles at this grade are as follows:</p> <ul style="list-style-type: none"> • rigid vehicles with up to 4 or more axles and a G.V.M. greater than 13.9 tonne, and up to 22.4 tonne G.V.M. inclusive, • articulated vehicle with more than 3 axles, and a G.C.M. of 22.4 tonne or less, • euclid, and • rigid vehicle greater than 13.9 tonne G.V.M. with trailer up to 22.4 tonne G.C.M. |
| OSE 6 | 105% | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 5.</p> <p>An employee at this grade may be required to drive and operate specific vehicles or plant.</p> <p>Examples of typical vehicles associated with roles at this grade are as follows:</p> <ul style="list-style-type: none"> • rigid/articulated vehicles with 3 axles or more with a G.V.M. greater than 22.4 tonne, and • rigid/articulated vehicles and heavy trailer combination with 3 or more axles and a G.C.M. up to 32 tonne. |
| OSE 7 | 110% | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed at grade 6.</p> <p>Examples of typical vehicles associated with roles at this grade are as follows:</p> <ul style="list-style-type: none"> • articulated or rigid vehicles with a G.C.M. greater than 32 tonne including dual rear axle vehicles towing the following: |

| Level | Relativity to OSE Grade 5 | Tasks and Functions |
|---------------|----------------------------------|--|
| | | <ul style="list-style-type: none"> ○ tag-trailers, ○ dog-trailers, ○ pig-trailers, ○ semi-trailers. |
| OSE 8 | 115% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 7. |
| OSE 9 | 120% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 8. |
| OSE 10 | 125% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 9. |
| OSE 11 | 130% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 10. |
| OSE 12 | 135% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 11. |
| OSE 13 | 140% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 12. |
| OSE 14 | 145% | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 13. |

Schedule 6 - Definitions and Position Descriptors - Building Trades Employees

Outline of classification structure

The definitions below guide the classification of employees in this group by indicating the standard of skill and indicative tasks required of a particular role.

Building trades employees at each classification level may be required to have the competencies for the level or levels below their own level. When required, employees at each level will undertake lower level duties as well as performing tasks incidental to work at their level.

Structure of Building worker level 1 (BW1) classification levels

| | |
|-----------------|---|
| BW1 (a): | Upon commencement in the industry (i.e. new entrant) |
| BW1 (b): | After 3 months in the industry |
| BW1(c): | After 12 months in the industry |
| BW1 (d): | Upon fulfilling the substantive requirements of Building worker level 1 |

Definitions:

Building worker level 1 (BW1)

- A **Building worker level 1 (BW1)** works under general supervision in one or more aspects of building and/or construction activities in the local government industry and will:
 - have completed, in accordance with recognised prior learning principles, a construction skills test equivalent to the required competency standards; or
 - have completed relevant structured training equivalent to the required competency standards.
- Skills and duties

An employee at this level:

 - may be part of a self-directed work area team (WAT);
 - may be required to perform a range of duties in one or more area of the overall building and/or construction industry;
 - works from instructions and procedures;
 - assists in the provision of on-the-job training to a limited degree;
 - coordinates work in a team environment or works individually under general supervision;
 - is responsible for assuring the quality of their own work;
 - has a qualification in first-aid.
- Indicative tasks

Indicative tasks that an employee may perform at this level include the following:

 - uses precision measuring instruments;
 - basic material handling functions;
 - operates small plant and pneumatic machinery;
 - inventory and store control;
 - uses a range of hand tools and oxy welding equipment;
 - has a knowledge of the construction process and understands the sequencing of construction functions;
 - is able to provide first-aid assistance to other employees.
- The BW1 classification incorporates the following (traditionally used) job titles/positions:

| | | | |
|--|--|---|---|
| Steel erector (whether prefabricated or otherwise) | Demolition worker (after 4 months' experience) | Labourer assisting any other tradesperson | Roof layer (malthoid or similar material) |
| Assistant powder monkey | Crane hand | Mixer driver (concrete) | Jackhammer person |
| Assistant rigger | Crane chaser | Plasterer's labourer | Concrete formwork Stripper |
| Bricklayer's labourer | Dump cart operator | Under pinner | Labourer |
| Cement gun operator | Gantry hand | Steel or bar bender to pattern or plan | Trades labourer |
| Concrete cutting or drilling machine operator | Gear hand | Aluminium alloy structural erector | Concrete gang, including concrete floater |

Building worker level 2 (BW2)

- A **Building worker level 2 (BW2)** works under limited supervision in one or more aspects of building and/or construction activities in the local government industry and will:
 - have completed in accordance with recognised prior learning principles a construction skills test equivalent to the required competency standards; or
 - have completed relevant structured training equivalent to the required competency standards.

- Skills and duties

An employee at this level:

- may be part of a self-directed work area team (WAT);
- may be responsible for the supervision of one or more employees working at BW1 level;
- can interpret plans and drawings relevant to their functions;
- assists with the provision of on-the-job training;
- assumes responsibility for allocating tasks within a WAT within the area of the employee's skills, competence and training;
- has some responsibility for the order and purchase of materials within defined parameters;
- is able to sequence functions relevant to the employee's WAT; and
- applies quality control techniques to the employee's own work and that of other employees within the WAT.

- Indicative tasks

Indicative tasks that an employee may perform at this level include the following:

- calculates safe loads and stress factors;
- measures accurately using specialised equipment;
- non-trade's maintenance of relevant plant and equipment;
- anticipates and plans for constant changes to the work environment.

- The BW2 classification incorporates the following (traditionally used) job titles/positions:

| | | | | |
|----------------------|--------------------------|-------------|---------------|---------------|
| Certified scaffolder | Foundation shafts worker | Rigger | Dog person | Powder monkey |
| Concrete finisher | Hoist or winch driver | Steel fixer | Tack solderer | |

Building tradesperson level 1 (BT 1)

- A **Building tradesperson level 1 (BT1)** works individually or in a team environment in a building trade applying in the local government industry and will:
 - have successfully completed a relevant trade apprenticeship or its AQF equivalent, or
 - have successfully completed, in accordance with recognised prior learning principles, a competency assessment for this level.

- Skills and duties

An employee at this level demonstrates:

- understanding of quality control techniques;
- ability to inspect products and/or materials for conformity with established standards;
- good interpersonal communications skills;
- ability to work in a safe manner so as not to cause self injury or injury to others;
- ability to exercise discretion and utilise basic fault-finding skills in the cause of their work;
- ability to work under general supervision either individually or in a team environment; and
- ability to instruct apprentices in the correct performance of work.

- Indicative tasks

Indicative tasks that an employee may perform at this level include the following:

- trade skills associated with a relevant certificated trade;
- non-trade tasks incidental to their work;
- informal on-the-job guidance to a limited degree;
- instruction of apprentices in the correct performance of trade-related skills.

- The BT1 classification incorporates, but is not limited to, the following (traditionally used) job titled/positions:

| | | | | | |
|------------------|-----------|-------------|------------------|---------|---------|
| Bricklayer | Machinist | Sandblaster | Licensed Drainer | Joiner | Tiler |
| Carpenter | Mason | Shopfitter | Water proofer | Plumber | Glazier |
| Floor specialist | Painter | Signwriter | Plasterer | | |

Building tradesperson level 2 (BT 2)

- A **Building tradesperson level 2 (BT2)** will:
 - have successfully completed an additional 12 points of relevant structured training from another trade or post-trade in addition to the requirements of a BT1, or
 - have successfully completed, in accordance with recognised prior learning principles, a competency assessment for this level.
- The above training requirements may be obtained in relation to a range of skills including, but not limited to, trade skills in comparable trades other than that in which they are primarily employed which would allow an employee to perform a range of duties across trades as required by an employer.
- In order to be classified at this level a tradesperson may be required to establish they have undertaken the necessary training (either on or off-the-job) or has the necessary experience and is competent to perform the duties involved as well as meet existing licensing requirements, where applicable.

- A BT2 includes a Plumber or Licensed Drainer whose duties require that they have an additional 12 points of training beyond their own trade classification at BT1.
- Skills and duties

An employee at this level:

- performs work to the extent of their skills, competence and training; and
- will have completed the required training; or
- will have the equivalent skills gained through work experience in accordance with the prescribed standards for this level.

A BT2 works above and beyond a BT1 and to the level of their training:

- exercises skills gained through satisfactory completion of the training prescribed for this level or through satisfactory completion of a skills assessment for this level;
- exercises discretion within the scope of this level;
- works under general supervision either individually or in a team environment;
- understands and implements quality control techniques;
- provides guidance and assistance as part of a work team;
- works in a safe manner so as not to injure themselves or other employees; and
- exercises trade skills relevant to the requirements of the enterprise at a level higher than an employee at BT1.

- Indicative tasks

The following indicative tasks, which an employee at this level may perform, are subject to the employee having appropriate trade and post-trade training or experience to enable the employee to perform the particular indicative tasks:

- assists in the provision of on-the-job training in conjunction with other tradespersons and supervisors;
- operates and maintains a wide range of complex machines or equipment in the workplace;
- ability to apply relevant legislation to the work of self and others;
- ability to carry out any other tasks as directed in accordance with their level of skill training; and
- utilises trade skills not related to the employee's designated core trade.

Building tradesperson level 3 (BT 3)

- A **Building tradesperson level 3 (BT3)** will:
 - have successfully completed an additional 12 points of relevant structured training from another trade or post-trade in addition to the requirements of a BT2, or
 - have successfully completed, in accordance with recognised prior learning principles, a competency assessment for this level.
- The above training requirements may be obtained in relation to a range of skills in comparable trades other than that in which they are primarily employed, which would allow an employee to perform a range of duties across trades as required by an employer.
- In order to be classified at this level a tradesperson may be required to establish they have undertaken the necessary training (either on or off-the-job) or has the necessary experience and is competent to perform the duties involved as well as meet existing licensing requirements, where applicable.

- A BT3 includes a Plumber, Licensed Plumber or Licensed Drainer whose duties require them to use additional licences and/or endorsement that equate to an additional 12 points of training beyond their own trade classification at level 2, from the table below:

| Licences and Endorsements | Points |
|----------------------------------|---------------|
| Thermostatic mixing valves | 3.2 |
| Backflow prevention | 4 |
| Restricted electrical licence | 5.6 |
| Urban irrigation installation | 8.2 |
| Gas installers licence | 12 |

- Skills and duties
 - An employee at this level performs work to the extent of their skills, competence and training and will have:
 - completed the required training; or
 - gained the equivalent skills through work experience in accordance with the prescribed standards for this level.
 - A BT3 works above and beyond a BT2 and to the level of their training:
 - exercises the skills attained through satisfactory completion of the training and standard prescribed for this classification;
 - provides guidance and assistance as part of a work team;
 - assists in the provision of training in conjunction with supervisors and trainers;
 - understands and implements quality control techniques and is responsible for the quality of their work and is able to identify faults in the work of others at this or lower levels;
 - works in a safe manner so as not to injure themselves or other employees;
 - is able to identify hazards and unsafe work practices which may affect others in the team environment;
 - exercises excellent interpersonal skills;
 - performs work under limited supervision either individually or in a team environment; and
 - exercises discretion within their level of skill.
- Indicative tasks

The following indicative tasks which an employee at this level may perform are subject to the employee having appropriate trade and post-trade training or experience to enable the employee to perform the particular indicative tasks:

- exercises high precision trade skills using various materials and/or specialised techniques;
- utilises additional trade licences;
- utilises post-trade skills;
- utilises trade skills not related to the employee's designated core trade; and
- performs tasks on a CAD/CAM terminal in the performance of routine modifications.

Schedule 7 - Procedures for Classification and Reclassification of Employees - Building Trades Employees

Re-classification

- (a) In seeking upward reclassification, employees will be required to demonstrate that they meet the full requirements of the specific skill level in accordance with the criteria outlined in this Award and are required to carry out the duties at that level.
- (b) The employer may instruct an employee not to exercise competencies that they possess. In such a case, an employee cannot seek reclassification for possessing such competencies.

Progression through the trade classification structure

- (a) Upward progression for tradespersons through the classification structure will be facilitated through the process of re-classification. Employees will be provided the opportunity to be re-classified as they develop skills and appropriate to the requirements of the employer.
- (b) Progression through the classification structure can be achieved by the following processes:
 - (i) All trade employees shall commence at the 100% classification level. To achieve this level, the employee must hold an existing AQF Level 3 trade certificate, or have been assessed as competent in all core and the minimum number of elective competencies for the designated trade.
 - (ii) Acquisition of 12 "points" from outside their own trade at the Certificate 3 level or higher, in addition to the requirements of the employees' current level. This is equivalent to 120 nominal hours of accredited training. The acquisition of 12 points will result in the employee advancing one level higher than their current classification level. The employee shall advance one level for each 12 points acquired up to BT3 level.
 - (iii) Acquisition of 12 "points" of specialist post trade competencies in the employees own trade at AQF level 4 or higher (including specific licenses and endorsements for plumbers provided in the classification structure), in addition to the requirements of the employees' current level. This is equivalent to 120 nominal hours of accredited training. The acquisition of 12 points will result in the employee advancing one level higher than their current classification level. The employee shall advance one level for each 12 points acquired up to BT3 level.
 - (iv) The assessed competencies must be relevant to the work being performed and required by the employer.
 - (v) Competencies may be drawn from other trade qualifications.

Classification Disputes Procedure

- (a) It is recognised that from time to time disputes may arise as to the proper classification of a position or job to be filled by an employee. In the event that a dispute as to the proper classification or reclassification of a position or job does arise the dispute settlement procedure contained in clause 7.1 of the Award shall apply.
- (b) The parties to the dispute may call upon people/organisations with technical/educational expertise (such as Construction Skills Queensland or any successor organisation) and any other persons they believe would assist in the resolution of the dispute.
- (c) In any case, in determining the appropriate classification of a position or job to be filled by an employee, an employer will pay full regard to:

- the nature and skill requirements of the position to be filled;
 - the skill level and certification of the employee;
 - the experience and qualifications of the employee;
 - relevant indicative tasks nominated in this new structure; and/or
 - fields of work against which an employee is accredited.
- (d) Appropriate procedures will be established for testing the validity of an employee's claim for reclassification.

Formal recognition of skills:

- (a) Formal recognition of skills shall occur through either a skills assessment conducted in accordance with RPL principles, or through the acquisition of a statement of attainment issued by a Registered Training Organisation
- (b) Where it is identified that trade employees are required to use skills that are beyond the scope of their designated core trade, the employer shall ensure that a skills assessment is conducted to accurately determine the employees' competence in those skills so that the extra skills required can be formally recognised for the purpose of reclassification.
- (c) The employer shall be responsible for any costs associated with the skills assessment process. Results of skills assessments shall remain the property of the employee. Employees shall provide the results of skills assessments to the employer as required

Multi skilling

- (a) Multi-skilling facilitates employees working in non-traditional work areas and requires trades staff to perform duties and use skills that are not a part of their designated core trade. Higher skill levels may be beneficial to business operation and it is acknowledged employees should be remunerated according to the skills they are required to use. The reclassification process provides for wage levels to be determined according to skill levels with higher wages available to employees who are required to have and use the necessary competencies.
- (b) Employees who wish to progress through the classification structure may be required to up-skill and or cross-skill to meet the requirements of higher classification levels. Skills may be acquired from a variety of occupational areas. The business needs of the enterprise shall determine the skills required beyond the scope of the existing trade qualifications.
- (c) Upon request by the employee, existing trade skills used by an employee and required by the employer that are not part of the employee's designated trade, shall be identified, acknowledged, assessed, and counted towards a reclassification outcome.
- (d) Wherever possible registered competencies existing within the AQF shall be used as a benchmark for the assessment of vocational skills.

Schedule 8 - Definitions and Position Descriptors - Engineering/Electrical Trades Employees

Employees in this group are to be classified according to the level of competency they hold and are required to use in their work. The classification definitions provide descriptors of the nature of the work performed at each classification level. Where there is a query about the classification of an employee, their classification should be determined in accordance with the National Metal and Engineering Competency Standards Implementation Guide (Implementation Guide). A copy of the guide can be downloaded at www.mskills.com.au.

Competency can be shown by formal qualifications or by the actual exercise of skills. If an employee holds the minimum training requirement for a particular classification level in this Award, and they are required by the employer to use or will be required by the employer to use those skills in their job, then they cannot be classified below that particular classification level. For example, a person who holds a trade certificate and is required to use those skills cannot be classified below the C10 classification.

The classification structure can be summarised as follows:

| Classification levels | Classification title | Minimum training/requirement |
|-----------------------|--|--|
| C1 | Professional engineer/Professional scientist | Degree |
| C2(b) | Principal technical officer | Advanced Diploma or equivalent and sufficient additional training so as to enable the employee to meet the requirements of the relevant classification definition and to perform work within the scope of this level. |
| C2(a) | Leading technical officer | Advanced Diploma or equivalent and sufficient additional training so as to enable the employee to meet the requirements of the relevant classification definition and to perform work within the scope of this level. |
| | Principal supervisor/Trainer/Coordinator | Advanced Diploma or equivalent of which at least 50% of the competencies are in supervision/training. |
| C3 | Engineering associate/Laboratory technical officer - level II | Advanced Diploma of Engineering, or equivalent. |
| C4 | Engineering associate/Laboratory technical officer - level I | 80% towards an Advanced Diploma of Engineering, or equivalent. |
| C5 | Advanced engineering/electrical tradesperson - level II | Diploma of Engineering - Advanced Trade, or equivalent. |
| | Engineering/Electrical/Laboratory technician - level V | Diploma of Engineering - Technical, or equivalent. |
| C6 | Advanced engineering/electrical Tradesperson - level I | C10 + 80% towards a Diploma of Engineering - Advanced Trade, or equivalent. |
| | Engineering/Electrical/Laboratory technician - level IV | 50% towards an Advanced Diploma of Engineering, or 85% towards a Diploma of Engineering - Technical, or equivalent. |
| C7 | Engineering/Electrical/Manufacturing tradesperson - special class level II | Certificate IV in Engineering, or C10 + 60% towards a Diploma of Engineering, or equivalent. |
| | Engineering/Electrical/Laboratory technician - level III | Certificate IV in Manufacturing Technology, provided that the minimum experience required for a Technology Cadet has been completed, or Certificate IV in Laboratory Techniques, or 45% towards an Advanced Diploma of Engineering, or 70% towards a Diploma of Engineering - Technical, or equivalent |

| Classification levels | Classification title | Minimum training/requirement |
|-----------------------|---|---|
| C8 | Engineering/Electrical/Manufacturing tradesperson - special class level I | C10 + 40% towards a Diploma of Engineering, or equivalent |
| | Engineering/Electrical/Laboratory technician-level II | 40% towards an Advanced Diploma of Engineering, or 60% towards a Diploma of Engineering - Technical, or equivalent |
| C9 | Engineering/Electrical/Manufacturing tradesperson - level II | C10 + 20% towards a Diploma of Engineering or equivalent |
| | Engineering/Electrical/Laboratory technician - level I | Certificate III in Engineering-Technician, or Certificate III in Laboratory Skills, or Certificate III in Manufacturing Technology, provided that the minimum experience required for a Technology Cadet has been completed, or 50% towards a Diploma of Engineering, or equivalent |
| C10 | Engineering/Electrical/Manufacturing tradesperson - level I | Recognised Trade Certificate, or Certificate III in Engineering - Mechanical Trade, or Certificate III in Engineering - Fabrication Trade, or Certificate III in Engineering - Electrical/Electronic Trade, or equivalent |
| | Engineering/Electrical/Manufacturing systems employee - level V | Engineering Production Certificate III, or Certificate III in Engineering - Production Systems, or equivalent |
| C11 | Engineering/Manufacturing employee - level IV | Engineering Production Certificate II, or Certificate II in Engineering - Production Technology, or Certificate II in Sampling and Measurement, or equivalent |
| | Laboratory tester | |
| C12 | Engineering/Manufacturing employee - level III | Engineering Production Certificate I or Certificate II in Engineering, or equivalent |
| C13 | Engineering/Manufacturing employee - level II | In-house training |
| C14 | Engineering/Manufacturing employee - level I | Up to 38 hours induction training |

Definitions for the purpose of determining classifications of employees in this group:

or equivalent means:

- any training which a registered training provider (e.g. TAFE) has recognised as equivalent to an accredited course which Manufacturing Skills Australia (MSA) recognises for this level. This can include advanced standing through recognition of prior learning and/or overseas qualifications; or
- where competencies meet the requirements set out in the MSA competency standards in accordance with the Implementation Guide.

work within the scope of this level means:

- for an employee who does not hold a qualification listed as a minimum training requirement, the employee shall apply skills within the enterprise selected in accordance with the Implementation Guide. Competencies selected must be MSA competency standards.
- where an employee has a relevant qualification recognised as a minimum training requirement for the level at which the employee seeks to be classified and the employee is exercising or will

be required to exercise the skills and knowledge gained from that qualification necessary for that level of work, the employee shall be classified appropriately. It is up to the employer to demonstrate reasons for a qualification that is a recognised minimum training requirement not being regarded as relevant for an employee's work.

Engineering associate is a generic term which includes technical officers in a wide range of disciplines, including laboratories and quality assurance; drafting officers; planners and other para-professionals.

Engineering streams are the 3 broad engineering streams recognised within these classification definitions, namely:

- **Electrical/electronic stream** - includes the design, assembly, manufacture, installation, modification, testing, fault finding, commissioning, maintenance and service of all electrical and electronic devices, systems, equipment and controls, e.g., electrical wiring, motors, generators, programmable logic controllers (PLC) and other electronic controls, instruments, refrigeration, telecommunications, radio, and television, communication and information processing equipment.
- **Mechanical stream** - includes the design, assembly, manufacture, installation, modification, testing, fault finding, commissioning, maintenance and service of all mechanical equipment, machinery, fluid power systems, automotive mechanics, instruments, refrigeration, and the use of related computer controlled equipment, e.g., computer numeric controlled machine tools.
- **Fabrication/vehicle building stream** - includes fabrication, forging, carpentry, plumbing, founding, structural steel erection, electroplating, metal spinning, metal polishing, sheet metal work and the use of related computer controlled equipment. This includes fabrication in all metals, plastics, carbon fibre, composite materials, ceramics and other materials.

Vocational fields are the 5 vocational fields recognised within the classification structure of this group as follows:

- **Trade** includes an employee who possesses as a minimum qualification a trade certificate in any of the 3 engineering streams or a Certificate IV in Engineering, including higher engineering trades or special class trades.
- **Technical field** includes:
 - production planning, including scheduling, work study, and estimating materials, handling systems and like work;
 - technical work including inspection, quality control, supplier evaluation, laboratory, non-destructive testing, technical purchasing, and design and development work (prototypes, models, specifications) in both product and process areas and like work;
 - design and drafting and like work.
- **Engineering/Production field** includes employees primarily engaged in production work including production, distribution, stores and warehousing, but does not require a qualification in a trade, technical, professional or supervisory field.
- **Supervisor/Trainer/Coordinator field** includes employees who are:
 - responsible for the work of other employees and/or provision of on-the-job training including coordination and/or technical guidance; or
 - responsible for supervision and/or training of other supervisors or trainers; or
 - responsible primarily for the exercise of technical skills, as defined, up to the level of their skill and competence and who are additionally involved in the supervision/training of other employees.

- **Professional field** includes an employee who possesses an academic qualification which enables that employee to become a graduate member of the Institute of Engineers, Australia or an academic qualification in science.

Trainer/Supervisor/Coordinator - level I is an employee who is responsible for the work of other employees and/or provision of structured on-the-job training. Such an employee has completed 9 modules of training in supervision and/or training. Despite the above definition, an employee who has not completed the specified training or equivalent for this level may enter this classification if they have 6 months' demonstrated performance at the relevant level of supervision.

Trainer/Supervisor/Coordinator - level II is an employee who is responsible for supervision and/or training of Trainers/Supervisors/Coordinators - level I. Such an employee has completed 15 modules of training in supervision and/or training. Despite the above definition, an employee who has not completed the specified training or equivalent for this level may enter this classification if they have 6 months' demonstrated performance at the relevant level of supervision until such times as competency standards for this level are finalised.

Trainer/Supervisor/Coordinator - technical is an employee who is responsible primarily for the exercise of skills in a technical field, as defined, up to the level of their skill and competence and who is additionally involved in the supervision/training of other technical employees.

Notes:

1. Indicative tasks for classification levels are to be used as a guide only in the event that the classification of an employee is called into question. Indicative tasks are tasks which an employee may perform in the relevant classification.
2. A Trainer/Supervisor/Coordinator - level 1 shall be paid not less than 122% of the highest rate paid to the highest technically qualified employee supervised or trained.
3. A Trainer/Supervisor/Coordinator - level 2 shall be paid not less than 115% of the highest rate paid to persons supervised or trained.

C14

Engineering/Production employee - level I

- Is an employee who is undertaking up to 38 hours' induction training which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow workers, training and career path opportunities, plant layout, work and documentation procedures, occupational health and safety, equal employment opportunity and quality control/assurance.
- An employee at this level performs routine duties essentially of a manual nature and to the level of their training:
 - performs general labouring and cleaning duties;
 - exercises minimal judgement;
 - works under direct supervision; or
 - is undertaking structured training so as to enable them to work at the C13 level.
- This classification level shall not apply to employees who have previously completed up to three months' employment at this level. Such employees shall be classified at no lower than level C13.

C13

Engineering/Production employee - level II

- Is an employee who has completed up to three months' structured training so as to enable the employee to perform work within the scope of this level.

- An employee at this level performs work above and beyond the skills of an employee at C14 and to the level of their skills, competence and training:
 - works in accordance with standard operating procedures and established criteria;
 - works under direct supervision either individually or in a team environment;
 - understands and undertakes basic quality control/assurance procedures including the ability to recognise basic quality deviations/faults;
 - understands and utilises basic statistical process control procedures;
 - follows safe work practices and can report workplace hazards.
- Indicative tasks which an employee at this level may perform are:
 - repetition work on automatic, semi-automatic or single purpose machines or equipment;
 - assemble components using basic written, spoken and/or diagrammatic instructions in an assembly environment;
 - basic soldering or butt and spot welding skills or cutting scrap with an oxy-acetylene blow pipe;
 - use selected hand tools;
 - boiler cleaning;
 - maintain simple records;
 - use hand trolleys and pallet trucks;
 - assist in the provision of on-the-job training in conjunction with tradespersons and supervisors/trainers.

C12

Engineering/Production employee - level III

- Is an employee who possesses an Engineering Production Certificate I, or has completed an AQF Level I traineeship, or equivalent (including the use of 32 competency points from the Implementation Guide) so as to enable the employee to perform work within the scope of this level.
- An employee at this level performs work above and beyond the skills of an employee at C13 and to the level of their skills, competence and training:
 - is responsible for the quality of their own work subject to routine supervision;
 - works under routine supervision either individually or in a team environment;
 - exercises discretion within their level of skills and training;
 - assists in the provision of on-the-job training.
- Indicative tasks which an employee at this level may perform are:
 - operates flexibly between assembly stations;
 - operates machinery and equipment requiring the exercise of skill and knowledge beyond that of an employee at level C13;
 - non-trade engineering skills;
 - basic tracing and sketching skills;
 - receiving, despatching, distributing, sorting, checking, packing (other than repetitive packing in a standard container or containers in which such goods are ordinarily sold), documenting and recording of goods, materials and components;
 - basic inventory control in the context of a production process;
 - basic keyboard skills;
 - advanced soldering techniques;
 - operation of machinery requiring certification at 1D or 1E level;
 - operation of mobile equipment including industrial trucks and cranes;

- ability to measure accurately;
- assists one or more tradespersons;
- welding which requires the exercise of knowledge and skills above C13;
- erecting and/or installing television and other electronic impulse transmitting and/or receiving antennae;
- assists in the provision of on-the-job training in conjunction with tradespersons and supervisors/trainers.

C11

Engineering/Production employee - level IV

- Is an employee who possess an Engineering Production Certificate II, or has completed an AQF Level II Traineeship, or equivalent (including the use of 64 competency points from the Implementation Guide) so as to enable the employee to perform work within the scope of this level.
- An employee at this level performs work above and beyond the skills of an employee at C12 and to the level of their skills, competence and training:
 - works from complex instructions and procedures;
 - assists in the provision of on-the-job training;
 - coordinates work in a team environment or works individually under general supervision;
 - is responsible for assuring the quality of their own work.
- Indicative tasks which an employee at this level may perform are:
 - uses precision measuring instruments;
 - machine setting, loading and operation;
 - rigging (certificated);
 - inventory and store control including licensed operation of all appropriate materials handling equipment;
 - use of tools and equipment within the scope (basic non-trades) maintenance;
 - computer operation at a level higher than that of an employee at C12 level;
 - intermediate keyboard skills;
 - basic engineering, fault finding and repair skills;
 - perform basic quality checks on the work of others;
 - licensed and certified for industrial truck, machinery and/or crane operating to a level higher than C12;
 - has a knowledge of the employer's operation as it relates to the work process;
 - lubrication of production machinery and similar equipment;
 - assists in the provision of on-the-job training in conjunction with tradespersons and supervisors/trainers;
 - in addition to the primary task of assisting tradespersons, is required, as a minor part of their duties, to drive a vehicle (over 1.27t) used in connection with the work of a work team;
 - delivery, installation, adjustment and testing of electronic products, not requiring the skill of a tradesperson.

C10

Engineering tradesperson - level I

- Is an employee who:
 - holds a trade certificate (through the completion of an AQF Level III apprenticeship) or tradespersons' rights certificate (through recognition by Trades Recognition Australia or

Training and Employment Recognition Council) as an Engineering tradesperson (any stream) - level I or equivalent; and

- is able to exercise the skills and knowledge of the engineering trade so as to enable the employee to perform work within the scope of this level.
- An Engineering tradesperson - level I works above and beyond an employee at C11 and to the level of their skills, competence and training:
 - operates lifting equipment incidental to their work;
 - performs non-trade tasks incidental to their work;
 - performs work under limited supervision either individually or in a team environment;
 - understands and applies quality control techniques;
 - exercises discretion within the scope of this classification level;
 - exercises keyboard skills at a level higher than C11;
 - able to inspect products and/or materials for conformity with established operational standards;
 - exercises good interpersonal and communications skills;
 - performs work which while primarily involving the skills of the employee's trade is incidental or peripheral to the primary task and facilitates the completion of the whole task. Such incidental or peripheral work would not require additional formal technical training.

Production systems employee

- Is an employee who, while still being primarily engaged in Engineering/Production work applies the skills acquired through the successful completion of a Certificate Level III qualification or equivalent (including the use of 96 competency points from the Implementation Guide) in the production, distribution, or stores functions.
- A Production systems employee is an employee who possess an Engineering Production Certificate III, or has completed an AQF Level III traineeship or equivalent so as to enable the employee to perform work within the scope of this level.
- A Production systems employee works above and beyond an employee at C11 and to the level of their skills, competence and training undertakes Engineering tradesperson - level I requirements (iii) - (viii).
- Indicative tasks which an employee at this level may perform are:
 - approves and passes first off samples and maintains quality of product;
 - works from production drawings, prints or plans;
 - operates, sets up and adjusts all production machinery in a plant including production process welding to the extent of training;
 - can perform a range of engineering maintenance functions including;
 - removing equipment fastenings including use of destructive cutting equipment;
 - lubrication of production equipment;
 - running adjustments to production equipment;
 - able to operate all lifting equipment;
 - basic production scheduling and materials handling within the scope of the production process or directly related functions within raw materials/finished goods locations in conjunction with technicians;
 - understands and applies computer techniques as they relate to production process operations;
 - operation of machinery requiring certification at 1A or 2A levels;
 - high level stores and inventory responsibility beyond the requirements of an employee at C11;
 - assists in the provision of on-the-job training in conjunction with tradespersons and trainers;
 - has a sound knowledge of the employer's operations as it relates to the production process.

C9

Engineering tradesperson - level II

- Is an Engineering tradesperson (any stream) - level II who has completed the following training requirements:
 - 3 appropriate modules in addition to the training requirements of C10 level; or
 - 3 appropriate modules towards a Diploma; or
 - 6 appropriate modules towards an Advanced Diploma; or
 - equivalent (including the use of 12 competency points from the Implementation Guide beyond the C10 classification).
- An Engineering tradesperson - level II works above and beyond a tradesperson at C10, to the level of their skills and competence and training performs work within the scope of this level and:
 - undertakes Engineering tradesperson - level I requirements (i) - (v); and
 - provides trade guidance and assistance as part of a work team.

Engineering technician - level I

- Is an employee who has the equivalent level of training of a C9 Engineering tradesperson or equivalent so as to enable the employee to apply skills within the scope of this level. The skills exercised by the Engineering technician level I are in the technical fields as defined by this Award including drafting, planning or technical tasks requiring technical knowledge.
- At this level the employee is engaged on routine tasks in the technical fields.

C8

Engineering tradesperson - special class level I

- A Special class engineering tradesperson - level I means a:
 - Special class engineering tradesperson (any stream) - level I; or
 - Higher engineering tradesperson,
 - who has completed the following training requirement:
 - 6 appropriate modules in addition to the training requirements of C10 level; or
 - 6 appropriate modules towards a Diploma; or
 - 6 appropriate modules towards an Advanced Diploma;
 - a Higher Engineering Tradesperson apprenticeship; or
 - equivalent (including the use of 24 competency points from the Implementation Guide beyond the requirements of C10).
- An Engineering tradesperson special class - level I works above and beyond a tradesperson at C9, to the level of their skills, competence and training performs work within the scope of this level and:
 - undertakes Engineering tradesperson - level I requirements (i) - (iii);
 - provides trade guidance and assistance as part of a work team;
 - assists in the provision of training in conjunction with supervisors and trainers; and
 - understands and implements quality control techniques.

Engineering technician - level II

- Is an employee who has the equivalent level of training of a C8 Engineering tradesperson special class - level I or equivalent so as to enable the employee to apply skills within the scope of this level. The skills exercised by the Engineering technician level II are in the technical fields as defined by this Award including drafting, planning or technical tasks requiring technical knowledge.
- At this level the employee is required to exercise judgement and skill in excess of that required at C9 under the supervision of technical or professional employees.
- Indicative tasks which an employee at this level may perform are:
 - exercises high precision trade skills using various materials and/or specialist techniques;
 - performs operations on a CAD/CAM terminal in the performance of routine modifications to NC/CNC programs;
 - installs, repairs, maintains, tests, modifies, commissions and/or fault finds on complex machinery and equipment which utilises hydraulic and/or pneumatic principles and in the course of such work, is required to read and understand hydraulic and pneumatic circuitry which controls fluid power systems;
 - works on complex or intricate circuitry which involves examining, diagnosing and modifying systems comprising inter-connected circuits.

C7

Engineering tradesperson - special class level II

- A Special class engineering tradesperson - level II means a Special class engineering tradesperson (any stream) - level II who has completed the following training requirement:
 - 3 appropriate modules in addition to the requirements of C8 level; or
 - 9 appropriate modules towards an Advanced Certificate; or
 - 9 appropriate modules towards an Associate Diploma;
 - an AQF Level 4 Certificate; or
 - equivalent (including the use of 36 competency points from the Implementation Guide beyond the requirements of C10).
- An Engineering tradesperson - special class level II works above and beyond a tradesperson at C8, to the level of their skills, competence and training performs work within the scope of this level and:
 - undertakes Engineering tradesperson - level I requirements (i) - (iv);
 - provides trade guidance and assistance as part of a work team; and
 - provides training in conjunction with supervisors and trainers.

[NB: The AQF 4 Certificate referred to in this definition is not directly comparable with previous post-trade qualifications such as ASF4 Level post-trade courses. The possession of these previous qualifications does not necessarily justify classification of a tradesperson to this level. Parties should refer to the Implementation Guide.]

Engineering technician - level III

- Is an employee who has the equivalent level of training of a C7 - Engineering tradesperson special class level II or equivalent so as to enable the employee to apply skills within the scope of this level. The skills exercised by the Engineering technician level III are in the technical fields as

defined by this Award including drafting, planning or technical tasks requiring technical knowledge.

- At this level the employee is engaged in detail drafting and/or planning or technical duties requiring judgement and skill in excess of that required of a technician at C8 under the supervision of technical or professional employees.
- Indicative tasks which an employee at this level may perform are:
 - works on machines or equipment which utilise complex mechanical, hydraulic and/or pneumatic circuitry and controls or a combination thereof;
 - works on machinery or equipment which utilises complex electrical/electronic circuitry and controls;
 - works on instruments which make up a complex control system which utilises some combination of electrical electronic, mechanical or fluid power principles;
 - applies advanced computer numerical control techniques in machining or cutting or welding or fabrication;
 - exercises intermediate CAD/CAM skills in the performance of routine modifications to programs;
 - works on complex or intricate interconnected electrical circuits at a level above C8;
 - works on complex radio/communication equipment.

C6

Advanced engineering tradesperson - level I

- means an Advanced engineering tradesperson (any stream) - level I who has completed:
 - 12 appropriate modules of a Diploma; or
 - 12 appropriate modules of an Advanced Diploma; or
 - equivalent (including the use of 48 competency points from the Implementation Guide beyond the requirements of C10).
- An Advanced engineering tradesperson - level I works above and beyond a tradesperson at C7, to the level of their skills, competence and training performs work within the scope of this level and:
 - undertakes Engineering tradesperson - level I requirements (i) - (iii) and (v);
 - undertakes Engineering tradesperson - special class level I requirements (i) and (ii);
 - undertakes quality control and work organisation at a level higher than for C7; and
 - prepares reports of a technical nature on specific tasks or assignments.

Engineering technician - level IV

- Is an employee who has the equivalent level of training of a C6 - Advanced engineering tradesperson level I or equivalent so as to enable the employee to apply skills within the scope of this level. The skills exercised by the Engineering technician level IV are in the technical fields as defined by this Award including drafting, planning or technical tasks requiring technical knowledge.
- At this level the employee is engaged in detail drafting and/or planning and/or technical duties requiring judgement and skill in excess of that required of a technician at C7 under the supervision of technical and/or professional employees.
- Indicative tasks which an employee at this level may perform are:

- works on combinations of machines or equipment which utilises complex electronic, mechanical and fluid power principles;
- works on instruments which make up a complex control system which utilise some combination of electrical, electronic, mechanical, fluid power principles and electronic circuitry containing complex analogue and/or digital control systems utilising integrated circuitry;
- applies computer integrated manufacturing techniques involving a higher level of computer operating and programming skills than for C7;
- works on various forms of machinery and equipment which are electronically controlled by complex digital and/or analogue control systems using integrated circuitry.

C5

Advanced engineering tradesperson - level II

- means an Advanced engineering tradesperson (any stream) - level II who has completed:
 - a Diploma; or
 - 15 modules or 2nd year part-time of an Advanced Diploma; or
 - equivalent (including the use of 60 competency points from the Implementation Guide beyond the requirements of C10).
- An Advanced engineering tradesperson - level II works above and beyond a tradesperson at level C6 and, to the level of their skills, competence and training, performs work within the scope of this level and:
 - undertakes Engineering tradesperson - level I requirements (i) and (ii);
 - provides technical guidance or assistance within the scope of this level;
 - assists in the provision of on-the-job training in conjunction with supervisors and trainers;
 - prepares reports of a technical nature on tasks or assignments within the employee's skills and competence;
 - has an overall knowledge and understanding of the operating principle of the systems and equipment on which the tradesperson is required to carry out their task.

Engineering technician - level V

- Is an employee who has the equivalent level of training of a C5 - Advanced engineering tradesperson level II or equivalent so as to enable the employee to apply skills within the scope of this level. The skills exercised by the Engineering technician level V are in the technical fields as defined by this Award including drafting, planning or technical tasks requiring technical knowledge.
- At this level the employee is required to exercise judgement and skill in excess of that required at level C6.
- Indicative tasks which an employee at this level may perform are:
 - through a systems approach able to exercise high level diagnostic skills on complex forms of machinery, equipment and instruments which utilises some combination of electrical, electronic, mechanical or fluid power principles;
 - set up, commission, maintain and operate sophisticated maintenance, production and test equipment and/or systems involving the application of computer operating skills at a higher level than a C6;
 - works on various forms of machinery and equipment electronically controlled by complex digital and/or analogue control systems using integrated circuitry;

- works on complex electronics or instruments or communications equipment or control systems which utilise electronic principles and electronic circuitry containing complex analogue and/or digital control systems using integrated circuitry.

C4

Engineering associate - level I

- An Engineering associate - level I means an employee who works above and beyond an Engineering technician at level C5 and has successfully completed the 3rd year part-time (or 22 modules) of an Advanced Diploma or equivalent and is engaged in:
 - making of major design drawings or graphics or performing technical duties in a specific field of engineering, laboratory or scientific practice such as research design, testing, manufacture, assembly, construction, operation, diagnostics and maintenance of equipment facilities or products, including computer software, quality processes, occupational health and safety and/or standards and plant and material security processes and like work; or
 - planning of operations and/or processes including the estimation of requirements of staffing, material cost and quantities and machinery requirements, purchasing materials or components, scheduling, work study, industrial engineering and/or materials handling process.

C3

Engineering associate - level II

- An Engineering associate - level II means an employee who works above and beyond an Engineering associate at level C4 and has successfully completed an Advanced Diploma or the equivalent level of accredited training and is engaged in:
 - performing drafting, or planning or technical duties which require the exercise of judgement and skill in excess of that required by an Engineering associate at level C4; or
 - possesses the skills of an Engineering associate - level I in a technical field and exercises additional skills in a different technical field, as defined.

C2(a)

Leading technical officer

- Leading technical officer means an employee who works above and beyond an Engineering associate - level II at level C3 and has successfully completed 7 modules in addition to an Advanced Diploma or equivalent. An employee at C2(a) is able to perform or coordinate work in more than one engineering, scientific or technical field as defined, or performs duties in a technical, engineering or scientific field which requires the exercise of judgement and/or skill in excess of that required of an Engineering associate - level II.

Principal engineering trainer/supervisor/coordinator

- Principal engineering trainer/supervisor/coordinator means a Trainer/supervisor/ coordinator who has completed an Advanced Diploma of which 15 modules are supervision/training modules or equivalent and who when engaged at this level:
 - possesses a sound knowledge of occupational health and safety, industrial relations, and communications processes and is able to use this knowledge in training and leading the work of others;
 - possesses a general knowledge and awareness of the administrative, business, and marketing strategies of the enterprise;

- Indicative tasks which an employee at this level may perform are:
 - plans, writes and delivers training programs for all engineering/production employees, apprentices, trainees, trade and lower technical levels;
 - plans and directs the work of engineering/production employees especially in new work organisation environments, e.g., group work arrangements, CIM production techniques.

C2(b)

Definition/descriptors/indicative tasks have not been established for this level.

Schedule 9 - Procedures for Classification and Reclassification of employees - Engineering/Electrical Trades Employees

- (a) The procedures for classifying or reclassifying employees under this Award are set out in the National Metal and Engineering Competency Standards Implementation Guide distributed by Manufacturing Skills Australia (MSA).
- (b) Without detracting from any of the processes set out in Schedule 9 any disputes in relation to classification or reclassification, including disputes relating to the terms of the Implementation Guide, shall be handled in accordance with the grievance and dispute settling procedure in clause 7.1 of this Award.
- (c) It shall be a term of the Award that where there is agreement to implement the standards at the enterprise, or in the event that the classification of an employee is called into question, the issue shall be settled by the application of competency standards in accordance with this clause and the Implementation Guide or by reference to the minimum training requirement in the relevant classification definition, except as provided in clauses (d) and (e) below.
- (d) Where the employee has a relevant qualification recognised as a minimum training requirement for the level at which the employee seeks to be classified and the employee is exercising or will be required to exercise the skills and knowledge gained from that qualification necessary for that level of work the employee shall be classified appropriately. It is up to the employer to demonstrate reasons for a qualification that is a recognised minimum training requirement not being regarded as relevant for an employee's work.
- (e) Where skill standards have not been finalised in respect of any class of work and this is necessary for determining an employee's classification, the employee shall be classified in accordance with the classification definitions at Schedule 8 of this Award.
- (f) All employees engaged under the Award at the relevant classification levels shall be subject to the metal and engineering competency standards.
- (g) Other provisions to be followed where competency standards are being implemented in an enterprise:
 - (i) Management and employee representatives responsible for overseeing the implementation of competency standards within enterprises shall be given access to briefing and/or training courses on the standards prior to implementation.
 - (ii) Such briefings/training courses on the metal and engineering competency standards and Implementation Guide should be approved by MSA. These briefings/training courses can be either a joint briefing delivered by the parties or by one party with the approval of other relevant parties at the enterprise or an approved course delivered by a MSA recognised provider with the approval of the relevant parties at the enterprise level.
 - (iii) The above does not exclude the delivery of additional training or advice by the parties or MSA to enterprises.
- (h) Points

The points to be assigned to the classification levels under the Award shall be:

| Award Classification Level | Recommended points |
|----------------------------|--------------------|
| C14 | - |
| C13 | - |

| Award Classification Level | Recommended points |
|----------------------------|--------------------------------------|
| C12 | 32 |
| C11 | 64 |
| C10 | 96 |
| C9 | 12 additional points above C10 |
| C8 | 24 additional points above C10 |
| C7 | 36 additional points above C10 |
| C6 | 48 additional points above C10 |
| C5 | 60 additional points above C10 |
| C4 | Standards and points to be finalised |
| C3 | Standards and points to be finalised |
| C2a | Standards and points to be finalised |
| C2b | Standards and points to be finalised |

and in accordance with Table 2 in the Implementation Guide.

- (i) Facilitation of implementation - If any party to this Award initiates a meeting at industry level in relation to major concerns about implementation of standards, including the application of points as set out in clause (h) of this Schedule, the following procedure shall apply:
- (i) if the major concerns involve problems at enterprise level the implementation process shall be suspended at those enterprises and there shall be no industrial action in relation to the problem;
 - (ii) officials of the relevant industry parties shall meet immediately to attempt to resolve the concerns.
 - (iii) where necessary, arrangements shall be made for an assessment and report by experts representing the relevant industry parties, or a representative of MSA;
 - (iv) the relevant industry parties shall consider the experts' report/s and agree on a course of action to resolve the concerns of the initiating party. A record of any agreement will be forwarded to the relevant enforcement agency such as the Department of Justice and Attorney-General;
 - (v) if the concerns are not resolved any party may pursue any available course of action under the Act.

Schedule 10 - Conversion of Casual Employment - Engineering/Electrical Trades Employees

- (a) A casual Engineering/Electrical trades employee, other than an irregular casual employee as defined below, who has been engaged by a particular employer on a regular and systematic basis and for several periods of employment under this Award during a period of six months shall thereafter have the right to elect to have the employee's contract of employment converted to full-time employment or part-time employment if the employment is to continue beyond the conversion process.

irregular casual employee means one who has been engaged to perform work on an occasional or non-systematic or irregular basis

The provisions of this Schedule do not apply to irregular casual employees.

- (b) Every employer of such an employee shall give the employee notice in writing of the provisions of this Schedule within four weeks of the employee having attained such period of six months.
- (c) The employee retains the employee's right of election under this Schedule if the employer fails to comply with clause (b).
- (d) Any such casual employee who does not within four weeks of receiving written notice elect to convert the employee's contract of employment to a full-time employment or a part-time employment will be deemed to have elected against any such conversion.
- (e) Any casual employee who has a right to elect, upon receiving notice under this Schedule or after the expiry of the time for giving such notice, may give four weeks' notice in writing to the employer that the employee seeks to elect to convert the employee's contract of employment to full-time or part-time employment, and within four weeks of receiving such notice the employer shall consent to or refuse the election but shall not unreasonably so refuse. Any dispute about a refusal of an election to convert a contract of employment shall be dealt with as far as practicable with expedition through the grievance procedure in clause 7.
- (f) Once a casual employee has elected to become and been converted to a full-time employee or a part-time employee, the employee may only revert to casual employment by written agreement with the employer.
- (g) (i) If a casual employee has elected to have the employee's contract of employment converted to full-time or part-time employment in accordance with clause (e), the employer and employee in accordance with this Schedule shall discuss and agree upon:
- (A) which form of employment the employee will convert to, that is, full-time or part-time; and
 - (B) if it is agreed that the employee will become a part-time employee, the number of hours and the pattern of hours that will be worked, as set out in clause 8.2 of this Award.
- (ii) Provided that an employee who has worked on a full-time basis throughout the period of casual employment has the right to elect to convert the employee's contract of employment to full-time employment and an employee who has worked on a part-time basis during the period of casual employment has the right to elect to convert the employee's contract of employment to part-time employment, on the basis of the same number of hours and times of work as previously worked, unless other arrangements are agreed upon between the employer and employee.

- (iii) Following such agreement being reached, the employee shall convert to full-time or part-time employment.
- (iv) Where, in accordance with clause (e) of this Schedule an employer refuses an election to convert, the reasons for doing so shall be fully stated to and discussed with the employee concerned and a genuine attempt made to reach agreement.
- (v) Any dispute about the arrangements to apply to an employee converting from casual employment to full-time or part-time employment shall be dealt with as far as practicable with expedition through the grievance procedure.
- (h) By agreement between the employer and the majority of the employees in the relevant workplace, or section of it, or with the casual employee concerned, the employer may apply clause (a) of this Schedule as if the reference to six months is a reference to 12 months, but only in respect of a currently engaged individual employee or group of employees. Any such agreement shall be recorded in the time and wages records. Any such agreement reached with an individual employee may only be reached within the two months prior to the end of the period of six months referred to in clause (a) of this Schedule.
- (i) An employer when engaging a person for casual employment must inform the employee then and there that the employee is to be employed as a casual, stating by whom the employee is employed, the job to be performed and the classification level, the actual or likely number of hours required, and the relevant rate of pay.
- (j) The employer shall give to a casual employee who has been engaged for one or more periods of employment extending over three or more weeks in any calendar month, and whose employment is or is likely to be ongoing, a notice in writing signed by or on behalf of the employer stating:
 - (i) the name and address of the employer;
 - (ii) if the employee has been engaged by the employer to perform work on hire to another person or company or is regularly engaged to perform work on hire to other persons or companies, a statement to that effect;
 - (iii) the job to be performed and the classification level on which the employee has been or is likely to be engaged;
 - (iv) as far as practicable, the terms of the current engagement, including the likely number and likely pattern of hours required to be worked, the base hourly rate upon which the casual loading is calculated, the casual loading and the total casual rate; and
 - (v) the contingency on which the engagement expires, or the notice, if any, that will be given to terminate any ongoing employment.
- (k) It shall be sufficient compliance with clause (j) of this Schedule if the employer gives such a note in writing upon or following the first occasion on which the casual employee has been so engaged for a period or periods extending over three or more weeks in any calendar month.

Schedule 11 - Definitions and Position Descriptors - Miscellaneous Workers

Introduction

The following classification standards are generic and indicate in broad terms the skills and in some instances, the type of work that may be required of employees. The standards are complimentary to an agreed role evaluation methodology, which values the work role against the classification standards.

The work role is reflected in a workplace statement that specifies for employees the responsibility and skill requirements of the role.

The classification standards extend across the work and skill range typically performed by employees represented in the following areas:

- City Hall
- Cleaners
- Car parks
- Cemeteries
- Art gallery
- City venues.

Definition of classifications

| Level | Tasks and Functions |
|-----------------|---|
| Entry MW | Employees appointed to this grade have limited or no relevant work experience. This grade is used to assess the employee's skill level and physical capacity to perform the relevant work. The employee remains in this grade for 6 months and undertakes induction training and competency assessment and works under close supervision preferably in a team environment. |
| MW 1 | Upon appointment to this grade an employee is expected to undertake a range of activities at a base level preferably in a team environment. |
| MW 2 | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities preferably within a team environment that requires skills that build on the competencies developed in grade one. |
| MW 3 | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities preferably within a team environment that requires skills that build on the competencies developed in grade 2. An employee at this grade may be expected to be part of a small work team and to operate cleaning equipment if required by the business needs as reflected in the workplace statement. A typical skill required in this grade would be cleaning skills. |
| MW 4 | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 3. An employee at this grade may be required to operate specific plant or equipment if required by the business needs as reflected in the workplace statement. Typical skills required in the grade would include those involved in cleaning, grave digging, preparing meals and customer counter work. |
| MW 5 | An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 4. |

| Level | Tasks and Functions |
|--------------|---|
| | <p>An employee at this grade may be required to provide supervision to a work team, operate plant and equipment if required by the business needs as reflected in the workplace statement.</p> <p>Typical skills required in this grade would include those involved in tour guiding, catering, pool attending, car parking and gallery attending.</p> |
| MW 6 | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed in grade 5.</p> <p>An employee at this grade may be required to supervise a team and operate plant and equipment if required by the business needs as reflected in the workplace statement.</p> <p>Typical skills required in this grade would include those involved in security.</p> |
| MW 7 | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment, that requires skills that build on the competencies developed at grade 6.</p> <p>Typical skills required in this grade would include those involved in the supervision of car parking.</p> |
| MW 8 | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 7.</p> <p>Typical skills required in this grade would include those involved in sports centre management and supervision in City Hall.</p> |
| MW 9 | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 8.</p> |
| MW 10 | <p>An employee appointed to this grade is expected to undertake a range of activities and commensurate responsibilities within a team environment that requires skills that build on the competencies developed in grade 9.</p> |

Schedule 12 - Definitions and Position Descriptors - Plant Operators

Employees at each level may be required to have the competencies for the level or levels below their level. When required, employees at each level will undertake lower level duties as well as performing tasks incidental to work at their level. The employer will ensure employees undertake duties which are within the limits of the employees' skills, competence and training.

Definition of classifications

| Level | Relativity to Tradespersons | Tasks and Functions |
|------------|-----------------------------|--|
| PO1 | 96% | <p>The range of work typically performed by employees is determined by the Council's business needs and skills of the employee.</p> <p>The specific work activities for a level one plant operator are indicated in the relevant workplace position description. The type of work may include tasks of a non-trades nature which are incidental or peripheral to the employees core function and facilitates the completion of the whole job required of the work team.</p> <p><i>Core competencies</i></p> <p>(a) Plant operator level one competencies are consistent with the requirements of a Certificate II Civil Construction - Plant/Civil Construction/Road Construction and Maintenance. Employees at this level may be required to operate the following equipment:</p> <ul style="list-style-type: none"> • hoist and winch driving. <p>(b) A plant operator would be expected to have successfully completed relevant structured training equivalent to 20 modules or have reached an equivalent skill standard as assessed in accordance with recognised prior learning principles.</p> <p>(c) Indicative tasks, which an employee at this level may be required to perform include the following:</p> <ul style="list-style-type: none"> • is aware of Council's customer service standards and is able to sequence work to meet the business needs of the work team, • performs non-trades maintenance of relevant plant machinery and equipment, • applies workplace health and safety standards within own role, • calculates safe loads and stress factors, • applies quality control techniques to their role and other roles if required within the work team, • assists in the provision of on the job training, • interprets plans and drawings relevant to their role. |
| P02 | 100% | <p>The range of work typically performed by employees is determined by the Council's business needs and skills of the employee.</p> <p>The specific work activities for level 2 plant operator are indicated in the relevant workplace position description. The type of work may include tasks of a non-trades nature which are incidental or peripheral to the employees core function and facilitates the completion of the whole job required of the work team.</p> <p><i>Core competencies</i></p> <p>(a) Plant operator level 2 competencies are consistent with the requirements of a certificate III in Civil Construction - Plant or Civil Construction -</p> |

| Level | Relativity to Tradespersons | Tasks and Functions |
|------------|-----------------------------|---|
| | | <p>Road Construction and Maintenance. Employees at this level may be required to operate the following equipment:</p> <ul style="list-style-type: none"> • hydraulic mobile platform, • pneumatic tyred tractor without powered attachments up to 74.5Kw brake power, • pneumatic tyred tractor with powered attachments up to 37 Kw brake power, • crawler tractor with powered attachments up to 2,721 kg shipping weight, • crawler tractor without powered attachments up to 4,536 kg shipping weight, • powered vibrating road roller up to 4 tonne, • powered road roller up to 8 tonne, • pile driving machine, • continuous bucket trencher, • tamper paver up to 5 tonne, • profile plainer 2,000cc and under. <p>(b) Indicative tasks which an employee at this level may be required to perform include the following:</p> <ul style="list-style-type: none"> • assists in the provision of on the job training, • Applies quality control techniques to their role and other roles if required within the work team, • operates and maintains plant machinery and equipment, • interprets plans and drawings relevant to their role, • exercises measuring and calculation skills at a higher grade than PO1, • applies workplace health and safety requirements within immediate work team or on work site when required, • ensures customer satisfaction standards are maintained through the provision of services to meet customer needs in the immediate work environment. |
| P03 | 105% | <p>The range of work typically performed by employees is determined by the Council's business needs and skills of the employee.</p> <p>The specific work activities for a level 3 plant operator are indicated in the relevant workplace position description.</p> <p>The type of work may include exercising advanced trades and non-trades skills relevant to the specific requirements of the work team at a higher level than (PO2).</p> <p><i>Core competencies</i></p> <p>(a) Plant operator level 3 competencies are consistent with the requirements of successfully completing an additional 3 modules of relevant structured training in addition to the skill requirements of (PO2).</p> <p>(b) A plant operator at this level may be required to operate the following equipment:</p> <ul style="list-style-type: none"> • grader up to 37Kw brake power, • scraper loader under 10 cubic metres struck capacity, • excavator up to 15 tonne, • front-end or overhead loader up to 2.25 cubic metres, |

| Level | Relativity to Tradespersons | Tasks and Functions |
|------------|-----------------------------|--|
| | | <ul style="list-style-type: none"> • pneumatic tyred tractor without powered attachment over 74.5 and up to 112 Kw power, • pneumatic tyred tractor with powered attachment over 37 and up to 112 Kw power, • crawler tractor without powered attachment over 18,144 kg shipping weight, • crawler-tractor with powered attachment over 2,721 kg and up to 18,144 kg shipping weight, • powered vibrating road roller over 4 tonne, • pneumatic tyred powered road roller over 8 tonne, • backhoe, • tamper paver over 5 tonne and up to 10 tonne, • profile plainer over 2,000cc, • mobile crane up to 15 tonnes. <p>(c) Indicative tasks which an employee at this level may be required to perform include the following:</p> <ul style="list-style-type: none"> • operates and maintains plant machinery and equipment, • exercises advanced trades and non-trade skills, • receives general supervision with team leader not regularly present on clearly defined work, • applies workplace health and safety requirements within the immediate work team or on a work site, • apply quality control techniques to their role and other roles if required within the work team, • interprets plans and drawings relevant to their role, • ensures customer satisfaction standards are maintained through the provision of services to meet customer needs in the work team, • exercises measuring and calculation skills at a higher grade than (PO1), • provides on the job training when required. |
| P04 | 110% | <p>The range of work typically performed by employees is determined by the Council's business needs and skills of the employee.</p> <p>The specific work activities for a level 4 plant operator are indicated in the relevant workplace position description.</p> <p>The type of work may include exercising precision trades or non trades skills relevant to the specific requirements of the work team at a higher level than (PO3).</p> <p><i>Core competencies</i></p> <p>(a) Plant operator level 4 competencies are consistent with the requirement of successfully completing an additional 3 modules of relevant structured training in addition to the requirement of (PO3). A plant operator at this level may be required to operate the following equipment:</p> <ul style="list-style-type: none"> • grader over 37Kw brake power, • scraper loader over 10 cubic metres struck capacity, • excavator over 15 tonne, • front-end or overhead loader over 2.25 cubic metres, • pneumatic tyred tractor with powered attachment over 112 Kw brake power, • crawler tractor with powered attachment over 18,144 kg shipping weight, • mobile crane 15-100 tonnes, |

| Level | Relativity to Tradespersons | Tasks and Functions |
|------------|-----------------------------|---|
| | | <ul style="list-style-type: none"> • tamper paver in excess of 10 tonne, • material transfer loader (Shuttle Buggy). <p>(b) Indicative tasks which an employee at this level may be required to perform include the following:</p> <ul style="list-style-type: none"> • operates and maintains complex plant machinery and equipment, • receives general supervision with team leader not regularly present, work may not be clearly defined, • applies workplace health and safety requirements within the immediate work team or on a work site, • applies quality control techniques to their role and other roles if required within the work team, • interprets complex plans and drawings relevant to their role, • ensures customer satisfaction standards are maintained through the provision of services to meet customer needs in the work team. Including liaising and negotiating with customers to clarify requirements and potential needs. |
| P05 | 115% | <p>The range of work typically performed by employees is determined by the business needs and skills for the employee.</p> <p>The specific work activities for a level 5 plant operator are indicated in the relevant workplace position description. The type of work may include exercising high precision trade or operative skills at a higher level than (PO4).</p> <p><i>Core competencies</i></p> <p>(a) Plant operator level 5 competencies are consistent with the requirements of successfully completing an additional 3 modules of relevant structured training in addition to the requirements of (PO4).</p> <p>(b) A plant operator at this level may be required to operate the following equipment:</p> <ul style="list-style-type: none"> • grader final trim, • side boom/pipe layer over 220 kw. <p>(c) Indicative tasks which an employee at this level may be required to perform include the following:</p> <ul style="list-style-type: none"> • operates and maintains plant machinery and equipment at a higher skills level than a (PO4), • receives general guidance with the team leader not regularly present on work that may not be clearly defined, • applies workplace health and safety requirements within the immediate work team or on work site, • applies quality control techniques to their role and other roles if required with the work team, • interprets complex plans and drawings relevant to their role, • ensures customer satisfaction standards are maintained through the provision of services to meet customer needs in the work team. Including liaising and negotiating with customers to clarify requirements and potential needs. |

By the Commission,
[L.S.] M. SHELLEY,
Industrial Registrar.