

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999

**DAIRY PRODUCTS INDUSTRY - QUEENSCO-UNITY DAIRYFOODS CO-OPERATIVE ASSOCIATION
LIMITED AND MALANDA DAIRYFOODS LIMITED AWARD - STATE 2004**

(Gazette, 7 January, 2005)

PURSUANT to the Declaration of the Commission as to a General Ruling made on 21 August 2009, the said Award is amended as follows as from 1 September 2009:

1. By deleting clause 5.1.1 and inserting the following in lieu thereof:

5.1.1 *Wage rates*

Classification	Relativity	Rate
	%	\$
Dairy Operative Level 7	110	703.70
Dairy Operative Level 6	105	682.90
Dairy Operative Level 5	100	662.00
Dairy Operative Level 4	96	643.30
Dairy Operative Level 3	92	626.60
Dairy Operative Level 2	88	609.90
Dairy Operative Level 1a	85	597.40
Dairy Operative Level 1b	83	589.10

Note 1: The rates of pay in this Award are intended to include the arbitrated wage adjustment payable under the 1 September 2009 Declaration of General Ruling and earlier Safety Net Adjustments and arbitrated wage adjustments. This arbitrated wage adjustment may be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this Award which are above the wage rates prescribed in the Award. Such payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, Queensland workplace agreements, award amendments to give effect to enterprise agreements and overaward arrangements. Absorption which is contrary to the terms of an agreement is not required.

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

Note 2: The classification structure expresses the Award rate payable, being the combination of the minimum classification rate and a supplementary payment which includes the first, second and third \$8 per week safety net adjustments. The Award rate includes all increases and adjustments arising as a result of the Second Tier, 1st and 2nd structural efficiency payment and structural efficiency adjustment.

"Overaward" arrangement is defined as the amount in rates of pay which an employee would receive in excess of the minimum Award wage as prescribed in this Award of the classification in which such employee is engaged which applied immediately prior to the date of operation of this amendment:

Provided that this definition shall exclude overtime, shift allowances, penalty rates, expense related allowances, industry allowances, disability allowances, vacation allowances, special rates or allowances, responsibility allowances, or any other ancillary payments of a like nature described by this Award.

2. By deleting from the clauses listed in the first column of the Schedule, the amount in the second column, and inserting the amount in the third column in lieu thereof:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	\$	\$
5.2.1	12.22	12.52
	18.53	19.03
	24.51	25.11
5.2.4	11.52	11.82

Dated 1 October 2009.

G.D. SAVILL,
Registrar.