

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

*Industrial Relations Act 2016*

***General Employees (Queensland Government Departments) and Other Employees Award – State 2015***

*Matter No. MA/2019/5*

**VARIATION OF MODERN AWARDS TO CORRECT MINOR ERRORS ETC.**

Certificate of Approval

On 4 September 2019 the Commission certified the attached modern award in accordance with section 149 of the *Industrial Relations Act 2016*. The variation corrected some minor errors created in the determination of 26 August 2016 operative 1 September 2016.

**Name of modern award:** *General Employees (Queensland Government Departments) and Other Employees Award – State 2015*

**Operative date of variation:** 1 September 2016

**Operative date of modern award reprint:** 1 September 2016 (Version 2)

By the Commission

O'CONNOR VP  
4 September 2019

# **GENERAL EMPLOYEES (QUEENSLAND GOVERNMENT DEPARTMENTS) AND OTHER EMPLOYEES AWARD - STATE 2015**

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## **PART 1 - Title and Operation**

### **1. Title**

This Award is known as the *General Employees (Queensland Government Departments) and Other Employees Award - State 2015*.

### **2. Operation**

Subject to section 824 of the Act, this Award operates from 18 September 2015.

### **3. Definitions and interpretation**

Unless the context otherwise requires, in this Award:

**Act** means the *Industrial Relations Act 1999*

**afternoon shift** means any shift commencing at or after 1000 and before 1800 and finishing subsequent to 1800 and at or before 2400

**Agriculture** means the Department of Agriculture and Fisheries

**Australian Qualifications Framework (AQF)** means the national system of recognition for the issue of vocational qualifications

**broken work** means where the ordinary hours of duty of a day worker are subject to a break in continuity other than for the purposes of meal breaks to a maximum of one hour and rest pauses

**chief executive** means a person appointed to that role pursuant to the provisions of one of the Acts mentioned in clause 4.1 or, for the purposes of this Award, such other person to whom the chief executive has delegated specific authorities

**classification level** comprises a minimum salary rate plus a range of increments in a particular stream through which employees will be eligible to progress

**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

**continuous shift worker** means a person who works continuous shift work

**cultural centre** means one of the entities listed in Schedule 7

**day** means the period from midnight to midnight on any one day

**day shift** means any shift worked as part of a non-continuous shift work system or a continuous shift work system which is not an afternoon shift or a night shift

**day work** means a single period of work (excluding a meal break) performed during the spread of ordinary hours which is not part of a non-continuous shift work or continuous shift work system

**day worker** means a person who works day work

**department** means a department as defined in section 7 of the *Public Service Act 2008*

**DET** means the Department of Education and Training

**directive** means a ruling, or part of a ruling, made under section 53 or section 54 of the *Public Service Act 2008*

**DSITI** means the Department of Science, Information Technology and Innovation

**employee** means a person described in clause 4.1(a) of this Award

**general employee** means an employee who is engaged pursuant to section 147 of the *Public Service Act 2008*

**generic level statement** means a broad, concise statement of the duties, skills and responsibilities indicative of a given classification level

**Housing and Public Works** means the Department of Housing and Public Works

**increment** means for all employees an increase in salary from one paypoint to the next highest paypoint within a classification level

**Justice** means the Department of Justice and Attorney-General

**majority of shift** means the day on which the major proportion of ordinary hours is worked where the starting and finishing times of that shift occur on different days

**night shift** means any shift commencing at or after 1800 and before 0600 the following day

**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)

**non-continuous shift worker** means a person who works non-continuous shift work

**paypoint** means the specific rate of remuneration payable to employees within a classification level

**public holiday** has the same meaning as that provided in Schedule 5 of the Act

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

**Rabbit Board** means the Darling Downs - Moreton Rabbit Board

**rostered day off** means a day, other than a scheduled day off, on which an employee is not rostered for duty as a result of time accrued under the method of working ordinary hours implemented in accordance with clauses 15.1(a) to (f), inclusive, or clause 15.2

**scheduled day off** means:

- for an employee whose ordinary hours of duty are Monday to Friday: Saturday and Sunday
- for an employee whose ordinary hours of duty include a Saturday and/or Sunday: one of the two days each week, or four days each fortnight, that the employee is not rostered for duty in accordance with clause 15.1(g). Depending on the working arrangements, a Saturday and/or Sunday may also be a scheduled day off

**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

**shift worker** means an employee who works shift work

**South Bank** means the South Bank Employing Office

**spread of ordinary hours** has the meaning ascribed to it in clause 15.3(a)

**theatrical employee** means an employee engaged in any of the following roles: theatre technician; technical manager; technical assistant; other employee (front of house staff); ticket seller; and light person

**TOIL** means time off in lieu of payment for overtime

**union** means one of the industrial organisations of employees mentioned in clause 4.1(c)

#### 4. Coverage

**4.1** This Award applies to:

- (a) (i) employees whose salaries or rates of pay are fixed by this Award employed pursuant to:
  - (A) section 147 of the *Public Service Act 2008*; or
  - (B) section 22 of the *Libraries Act 1998*; or
  - (C) section 21 of the *Queensland Art Gallery Act 1987*; or
  - (D) section 14 of the *Queensland Museum Act 1970*; and
- (ii) employees engaged by the Darling Downs - Moreton Rabbit Board in or in connection with work associated with the control and/or elimination of rabbits in the State of Queensland and whose salaries or rates of pay are fixed by this Award; and
- (iii) employees engaged by South Bank Employing Office pursuant to section 31G of the *South Bank Corporation Act 1989* as a car park attendant or car park supervisor; and
- (b) (i) each chief executive (however titled) of a government department, entity or cultural centre which employs employees covered by this Award in their capacity as the employer of such employees; and
- (ii) Darling Downs - Moreton Rabbit Board, established in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*, as the employer of employees covered by this Award; and
- (iii) the chief executive of South Bank Employing Office, established in accordance with the *South Bank Corporation Act 1989*, as the employer of employees covered by this Award; and
- (c) the following industrial organisations of employees:
  - (i) Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District;
  - (ii) Australian Maritime Officers Union Queensland Union of Employees;
  - (iii) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;

- (iv) The Australian Workers' Union of Employees, Queensland;
- (v) The Electrical Trades Union of Employees Queensland;
- (vi) Together Queensland, Industrial Union of Employees;
- (vii) Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
- (viii) United Voice, Industrial Union of Employees, Queensland,

to the exclusion of any other award.

- 4.2** Without limiting the exclusion at the conclusion of clause 4.1, and for purposes of clarity only, this Award shall not apply to those employees who are subject to the *Queensland Police Service Award - State 2012* or any modernised award that replaces such award.
- 4.3** In addition to conditions of employment provided in this Award, Schedule 8 provides for entitlements under specified directives to be extended to particular employees until 18 September 2017.

## **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 an employer and employees in an enterprise is contingent upon the agreement being submitted to the Commission in accordance with Chapter 6 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 chief executive and the union, or the chief executive 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. Dispute resolution**

#### **7.1 Prevention and settlement of disputes - Award matters**

- (a) The objectives of this procedure are the avoidance and resolution of any disputes over matters covered by this Award by measures based on the provision of information and explanation, consultation, co-operation and negotiation.
- (b) Subject to legislation, while the dispute procedure is being followed normal work is to continue except in the case of a genuine safety issue. The *status quo* existing before the emergence of a dispute is to continue whilst the procedure is being followed. No party shall be prejudiced as to the final settlement by the continuation of work.
- (c) There is a requirement for management to provide relevant information and explanation and consult with the appropriate employee representatives.
- (d) In the event of any disagreement between the parties as to the interpretation or implementation of this Award, the following procedures shall apply:
  - (i) the matter is to be discussed by the employee's union representative and/or the employee/s concerned (where appropriate) and the immediate supervisor in the first instance. The discussion should take place within 24 hours and the procedure should not extend beyond 7 days;
  - (ii) if the matter is not resolved as per clause 7.1(d)(i), it shall be referred by the union representative and/or the employee/s to the appropriate management representative who shall arrange a conference of the relevant parties to discuss the matter. This process should not extend beyond 7 days;
  - (iii) if the matter remains unresolved it may be referred to the chief executive for discussion and appropriate action. This process should not exceed 14 days;
  - (iv) if the matter is not resolved then it may be referred by either party to the Commission.



- (e) Nothing contained in this procedure shall prevent a union or the employer from intervening in respect of matters in dispute should such action be considered conducive to achieving resolution.

## **7.2 Employee grievance procedures - other than Award matters**

- (a) The objectives of the procedure are to promote the prompt resolution of grievances by consultation, co-operation and discussion to reduce the level of disputation and to promote efficiency, effectiveness and equity in the workplace.
- (b) The following procedure applies to all industrial matters within the meaning of the Act:
  - Stage 1: In the first instance the employee shall inform such employee's immediate supervisor of the existence of the grievance and they shall attempt to solve the grievance. It is recognised that an employee may exercise the right to consult such employee's union representative during the course of Stage 1.
  - Stage 2: If the grievance remains unresolved, the employee shall refer the grievance to the next in line management ("the manager"). The manager will consult with the relevant parties. The employee may exercise the right to consult or be represented by such employee's union representative during the course of Stage 2.
  - Stage 3: If the grievance is still unresolved, the manager will advise the chief executive and the aggrieved employee may submit the matter in writing to the chief executive if such employee wishes to pursue the matter further. If desired by either party the matter shall also be notified to the relevant union.
- (c) The chief executive shall ensure that:
  - (i) the aggrieved employee or such employee's union representative has the opportunity to present all aspects of the grievance; and
  - (ii) the grievance shall be investigated in a thorough, fair and impartial manner.
- (d) The chief executive may appoint another person to investigate the grievance. The chief executive may consult with the relevant union in appointing an investigator. The appointed person shall be other than the employee's supervisor or manager.
- (e) If the matter is notified to the union, the investigator shall consult with the union during the course of the investigation. The chief executive shall advise the employee initiating the grievance, such employee's union representative and any other employee directly concerned of the determinations made as a result of the investigation of the grievance.
- (f) The procedure is to be completed in accordance with the following time frames unless the parties agree otherwise:
  - Stage 1: Discussions should take place between the employee and such employee's supervisor within 24 hours and the procedure shall not extend beyond 7 days.
  - Stage 2: Not to exceed 7 days.
  - Stage 3: Not to exceed 14 days.
- (g) If the grievance is not settled the matter may be referred to the Commission by the employee or the union.
- (h) Subject to legislation, while the grievance procedure is being followed normal work is to continue except in the case of a genuine safety issue. The *status quo* existing before the emergence of a

grievance or dispute is to continue while the procedure is being followed. No party shall be prejudiced as to the final settlement by the continuation of work.

- (i) Where the grievance involves allegations of sexual harassment an employee should commence the procedure at Stage 3.

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

### **8. Types of employment**

- (a) An employee may be employed on a full-time, part-time or casual basis.
- (b) A full-time or part-time employee may be employed for a specified period of time or for a specified task or tasks. Such employees shall be entitled to the same provisions as a full-time or part-time employee as the case may be, excluding the provisions of clause 9.
- (c) Employees shall be advised of the basis of their employment in writing upon appointment.

#### **8.1 Full-time employment**

A full-time employee is one who is engaged to work an average of 38 hours per week.

#### **8.2 Part-time employment**

- (a) A part-time employee is an employee who:
  - (i) is engaged to work a regular pattern of hours each fortnight up to 32 ordinary hours per week; and
  - (ii) by agreement, can work more than 32 ordinary hours per week but less than the ordinary hours worked by an equivalent full-time employee; and
  - (iii) receives, on a *pro rata* basis, the same salary and conditions of employment to those of an equivalent full-time employee who performs the same kind of work.
- (b) For each ordinary hour worked a part-time employee shall be paid no less than 1/76th of the minimum fortnightly rate of pay for their classification.
- (c)
  - (i) By mutual agreement with their employer, 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 also to be taken into account in the *pro rata* calculation of all entitlements.
  - (ii) Any such additional hours are to be treated as follows:
    - (A) day workers - additional hours worked within the spread of ordinary hours prescribed in clause 15.3 are to be paid for at the ordinary hourly rate;
    - (B) shift workers - to be paid for at the ordinary hourly rate.
- (d) Subject to clause 8.2(c) all time worked by a part-time employee in excess of the agreed hours on any one day or, in the case of a day worker, outside the spread of ordinary hours prescribed in clause 15.3, is to be paid at the appropriate overtime rate prescribed in clauses 18.2, 18.3 or 18.4, as the case may be.

- (e) Part-time employees, other than those in the Hospitality stream, are eligible for payment of salary increments in accordance with the provisions of clause 12.8.
- (f) The minimum payment on any day when work is performed shall be for 2 hours' work or other minimum payment as prescribed in the table below, to be made in respect to each engagement:

Department, classification, group or area	Minimum engagement
(i) <b>Department of Education and Training:</b> <ul style="list-style-type: none"> <li>• Cleaners in small educational facilities which require the engagement of only one cleaner</li>   <li>• Teacher aides in educational facilities engaged to support students with disabilities such as toileting, lunch time program, etc.</li> </ul>	One hours' work  One hours' work
(ii) <b>South Bank:</b> <ul style="list-style-type: none"> <li>• Car park attendants</li> </ul>	3 hours' work

- (g) The minimum weekly engagement prescribed in the table below applies to the identified employees:

Department, classification, group or area	Minimum engagement per week
(i) <b>Rabbit Board:</b> <ul style="list-style-type: none"> <li>• Employees engaged within the Rabbit Board stream</li> </ul>	16 hours
(ii) <b>Department of Agriculture and Fisheries:</b> <ul style="list-style-type: none"> <li>• Employees engaged within the forestry stream</li> </ul>	17 hours
(iii) <b>Department of Education and Training:</b> <ul style="list-style-type: none"> <li>• Teacher aides</li> </ul>	5 hours
(iv) <b>South Bank:</b> <ul style="list-style-type: none"> <li>• Car park attendants</li> </ul>	12 hours
(v) <b>Cultural Centres:</b> <ul style="list-style-type: none"> <li>• Employees engaged by or on behalf of cultural centres in the Hospitality stream</li> </ul>	10 hours

- (h) Teacher aides
- (i) The allocation of ordinary weekly hours and the days upon which such hours are to be worked for teacher aides (other than casuals) shall be made by the principal at the commencement of each school year.
- (ii) Such ordinary hours and days shall only be altered by the principal giving at least one week's notice to the employee.
- (iii) No teacher aide can have their hours compulsorily reduced to below 2 hours per day and 5 hours per week.

### 8.3 Casual employment

- (a) (i) A casual employee is an employee who is engaged and paid as such.

- (ii) A casual employee cannot be employed to work more ordinary hours than are worked by an equivalent full-time employee each week or fortnight, as the case may be.
- (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 hour worked a casual employee shall be paid no less than 1/76th of the minimum fortnightly rate of pay for their classification plus a casual loading of 23%.
- (d) The casual loading of 23% is paid instead of annual leave, paid personal/carer's leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment. The loading constitutes part of the casual employee's salary for the purpose of calculating overtime, weekend penalties, public holiday and shift payments, where relevant.
- (e) Employees in the Hospitality stream employed in cultural centres shall be entitled to the following loadings which are payable separately and are not to be compounded:
  - (i) 23% for all ordinary hours worked;
  - (ii) 73% where the rate of pay is prescribed as time and one-half;
  - (iii) 123% where the rate of pay is prescribed as double time; and
  - (iv) 173% where the rate of pay is prescribed as double time and one-half.
- (f) Each casual engagement stands alone with a minimum payment as for 2 hours' work, or other minimum payment as prescribed in the table below, to be made in respect to each engagement:

Department, classification, group or area	Minimum engagement per day
(i) <b>Department of Transport and Main Roads:</b> <ul style="list-style-type: none"> <li>• Casual school crossing supervisors</li> </ul>	One-half hours' work
(ii) <b>Department of Agriculture and Fisheries:</b> <ul style="list-style-type: none"> <li>• Casual field assistants, eradication team members, team leaders and assistant supervisors (eradication) - biosecurity incursion management and control</li> </ul>	One hours' work
(iii) <b>Department of Education and Training:</b> <ul style="list-style-type: none"> <li>• Runaway Bay Sport and Leadership Excellence Centre, casual instructional staff (swim instructors, group exercise instructors, gym instructors and personal fitness trainers)</li> </ul>	One hours' work

- (g) Notwithstanding the provisions of clause 8.3, the following provisions apply to casual employees employed on motor vessels owned and operated by the Fisheries Research Branch of Agriculture:
  - (i) Employees shall be paid a daily rate in accordance with the following formula:
 
$$\text{daily rate} = \frac{\text{ordinary fortnightly rate}}{10} \times 1.23$$
  - (ii) Each daily engagement shall stand alone.

- (iii) The daily casual rate shall be payable irrespective of the number of hours worked in the day and shall also compensate for all ordinary overtime worked, week-end work and work performed on public holidays.
- (h) Notwithstanding the provisions of clause 8.3, the following provisions apply to casual employees engaged as Centre Managers and Relief Centre Managers by Outlook Services, Justice:
  - (i) Employees shall be paid a daily rate in accordance with the following formula:
$$\text{daily rate} = \frac{\text{ordinary fortnightly rate} \times 1.23}{10}$$
  - (ii) Each daily engagement shall stand alone.
  - (iii) The daily casual rate shall be payable irrespective of the number of hours worked in the day and shall also compensate for all ordinary overtime and week-end work.
- (i) Casual employees are eligible for payment of salary increments in accordance with the provisions of clause 12.11(a)(iv).
- (j) The long service leave entitlement of casual employees is recorded in clause 22.

#### **8.4 Probationary employment**

- (a) Except where the employer and an employee agree to a different period or no period of probation prior to commencement of employment, the engagement of a full-time or part-time employee will in the first instance be subject to a probationary period of three months duration. If a period of probation of longer than three months is agreed, it must:
  - (i) be agreed in writing; and
  - (ii) be a reasonable period having regard to the nature and circumstances of the employment.
- (b) The employer may terminate the employment of an employee who is on probation at any time during the probationary period.
- (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's appointment will be deemed to be confirmed.

#### **8.5 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 8.5 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 an employer**

Notice of termination by an employer is provided for in Division 9 of the QES. Clauses 9.2 to 9.5 supplement the QES provisions.

### **9.2 Notice of termination by an employee**

- (a) Unless otherwise agreed between the employer and an employee the notice of termination required by an employee, other than a casual employee, will be:
  - (i) for an employee of the Rabbit Board - one week or one week's salary forfeited in lieu;
  - (ii) for an employee of Agriculture employed within the forestry stream - one week or one week's salary forfeited in lieu;
  - (iii) for an employee engaged within the Hospitality stream - one week or one week's salary forfeited in lieu; and
  - (iv) for all other employees, two weeks or two weeks' salary forfeited in lieu.
- (b) If an employee fails to give the required notice the employer will have the right to withhold monies due to the employee with a maximum amount equal to the ordinary time rate of salary for the period of notice not provided.

### **9.3 Notice cannot be offset**

In the absence of mutual agreement between the employer 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 an employer has given notice of termination to an employee 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 employer.

### **9.5 Statement of employment**

An employer 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 9 of the QES. Clauses 10.2 to 10.9 supplement the QES provisions.

*Note: Where a directive about redundancy and retrenchment covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

### **10.2 Consultation before termination**

- (a) Where an employer decides that the employer 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 employer 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 employer 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 employer 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 employer shall not be required to disclose confidential information, the disclosure of which would be adverse to the employer'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 employer may, at the employer's option, make payment in lieu thereof of an amount equal to the difference between the former amounts the employer would have been liable to pay and the new lower amount the employer 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 employer, 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 employer (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 employer (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**

An employer, in a particular case, may make application to the Commission to have the general severance pay prescription amended if the employer 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 employer 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 Employer's duty to notify**

- (a) Where an employer decides to introduce changes in production, program, organisation, structure or technology, that are likely to have significant effects on employees, the employer shall notify the employees who may be affected by the proposed changes and, where relevant, their union/s.
- (b) 'Significant effects' includes termination of employment; major changes in the composition, operation or size of the employer'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 Employer's duty to consult over change**

- (a) The employer 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 employer 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 employer 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 employer shall not be required to disclose confidential information, the disclosure of which would be adverse to the employer's interests.

## **PART 4 - Minimum Salary Levels, Allowances and Related Matters**

*(Note: The wage rates and salary levels prescribed in this Award do not apply to employees to whom the provisions of Schedule 5 (Supported Wage System) apply.)*

### **12. Classifications and minimum salary levels**

#### **12.1 Classification structure**

Employees covered by this Award are to be classified into one of six streams as follows:

(a) **Administrative stream**

- (i) Subject to clause 12.1(a)(ii), the Administrative stream comprises those roles, the duties of which apply to various functional areas, the incumbents of which are required to possess a range of skills appropriate to this stream.
- (ii) Only existing roles in the Administrative stream at the date of operation of this Award may be classified into the Administrative stream.

(b) **Operational stream**

The Operational stream comprises those roles, the duties of which apply to various functional areas, the incumbents of which are required to possess a range of skills appropriate to this stream.

(c) **Forestry stream**

The Forestry stream comprises employees engaged by Agriculture in the roles of ganger, overseer, and Forestry worker.

(d) **Hospitality stream**

The Hospitality stream comprises those roles, the duties of which apply to various functional areas, the incumbents of which are required to possess a range of skills appropriate to this stream.

(e) **Rabbit Board stream**

The Rabbit Board stream comprises employees engaged by the Rabbit Board in the erection of rabbit proof fences and/or the clearing of grass from rabbit proof fences and/or the maintenance of rabbit proof fences and/or maintaining a check of any breakages and/or deterioration in rabbit proof fences and/or any work associated with the control and/or elimination of rabbits.

(f) **South Bank stream**

The South Bank stream comprises employees engaged by South Bank in the role of car park attendant or car park supervisor.

#### **12.2 Allocation to stream and classification levels**

- (a) Subject to clause 12.1(a)(ii) allocation of employees to the Administrative or Operational streams and to classification levels within those streams shall be in accordance with the generic level statements contained in Schedules 1 and 2. These statements reflect the degree of complexity and responsibility of duties, skills and knowledge proceeding from the lowest to the highest classification levels. Their purpose is to provide an indication as to the classification level appropriate to any packaging of duties.

- (b) An employee appointed pursuant to s 147 of the *Public Service Act 2008* shall have their previous service as a public service employee counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the employee is reappointed within 12 months of cessation of employment and the employee's previous employment was terminated other than by way of disciplinary action.
- (c) Allocation of employees engaged by Agriculture within the Forestry stream to classification levels within that stream shall be in accordance with the generic level statements contained in Schedule 3.
- (d) Allocation of employees within the Hospitality stream to classification levels within that stream shall be in accordance with the generic level statements contained in Schedule 4.
- (e) Where a new position is created and its allocation cannot be determined the matter may be discussed with the relevant employee/s and, where requested, their representative, and/or referred to the Commission for resolution.
- (f) Notwithstanding anything contained elsewhere in this Award, an applicant who is appointed to a position may, at the discretion of the relevant employer, be offered and appointed to any paypoint within a level based on recognition of skills, knowledge and abilities.

### 12.3 Minimum salary levels

#### (a) Administrative stream

The minimum salaries payable to employees within the Administrative stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
<b>Level 1</b>	<b>1</b>	80	1,370	35,742
	<b>2</b>	84	1,438	37,516
	<b>3</b>	89	1,524	39,760
<b>Level 2</b> Age 21 <sup>4</sup>	<b>1</b>	100	1,712 <sup>4</sup>	44,664
	<b>2</b>		1,755	45,786
	<b>3</b>		1,799	46,934
	<b>4</b>		1,844	48,108
	<b>5</b>		1,889	49,282
	<b>6</b>		1,934	50,456
	<b>7</b>		1,983	51,734
	<b>8</b>		2,039	53,195
<b>Level 3</b>	<b>1</b>		2,172	56,665
	<b>2</b>		2,253	58,779
	<b>3</b>		2,333	60,866
	<b>4</b>		2,412	62,927
<b>Level 4</b>	<b>1</b>		2,553	66,605
	<b>2</b>		2,634	68,718
	<b>3</b>		2,717	70,884
	<b>4</b>		2,799	73,023
<b>Level 5</b>	<b>1</b>		2,944	76,806

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
	2		3,027	78,971
	3		3,110	81,137
	4		3,193	83,302
<b>Level 6</b>	1		3,366	87,816
	2		3,443	89,824
	3		3,519	91,807
	4		3,595	93,790
<b>Level 7</b>	1		3,755	97,964
	2		3,845	100,312
	3		3,933	102,608
	4		4,021	104,904
<b>Level 8</b>	1		4,152	108,322
	2		4,231	110,383
	3		4,309	112,418
	4		4,386	114,426

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
- <sup>2</sup> Rounded to the nearest dollar.
- <sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.
- <sup>4</sup> Identifies the minimum salary payable to an employee aged 21 years and over classified in the Administrative stream.

(b) **Operational stream**

The minimum salaries payable to employees within the Operational stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
<b>Level 1</b>	1	71	1,216	31,724
	2	76	1,301	33,942
	3	82	1,404	36,629
	4	87	1,489	38,847
	5	93	1,592	41,534
	6	98	1,678	43,777
<b>Level 2</b> Age 21 <sup>4</sup>	1	100	1,712 <sup>4</sup>	44,664
	2		1,757	45,838
	3		1,804	47,065
	4		1,850	48,265
<b>Level 3</b>	1		1,878	48,995
	2		1,915	49,960
	3		1,954	50,978
	4		1,995	52,048
<b>Level 4</b>	1		2,075	54,135
	2		2,140	55,830

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
	3		2,206	57,552
	4		2,270	59,222
<b>Level 5</b>	1		2,328	60,735
	2		2,402	62,666
	3		2,478	64,649
	4		2,553	66,605
<b>Level 6</b>	1		2,660	69,397
	2		2,730	71,223
	3		2,799	73,023
<b>Level 7</b>	1		2,929	76,415
	2		2,998	78,215
	3		3,068	80,041

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
- <sup>2</sup> Rounded to the nearest dollar.
- <sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.
- <sup>4</sup> Identifies the minimum salary payable to an employee aged 21 years and over classified in the Operational stream.

(c) **Forestry stream**

The minimum salaries payable to employees engaged by Agriculture within the Forestry stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	AQF Level	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
<b>Level 1</b> First 3 months' service Thereafter		1,490	38,873
		1,511	39,420
<b>Level 2</b> 1st year of service 2nd year of service 3rd and 4th year of service 5th year of service		1,533	39,994
		1,555	40,568
		1,577	41,142
		1,610	42,003
<b>Level 3</b>	3	1,659	43,282
<b>Level 4</b>	3	1,708	44,560
<b>Level 5</b>	4	1,753	45,734
<b>Level 6</b>	5	1,905	49,700

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
- <sup>2</sup> Rounded to the nearest dollar.
- <sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

(d) **Hospitality stream**

The minimum salaries payable to adult employees engaged within the Hospitality stream are prescribed in the table below:

Classification Level	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
Introductory	1,409	36,759
Wage Level 1	1,443	37,646
Wage Level 2	1,495	39,003
Wage Level 3	1,532	39,968
Wage Level 4	1,610	42,003
Wage Level 5	1,708	44,560
Wage Level 6	1,753	45,734

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
- <sup>2</sup> Rounded to the nearest dollar.
- <sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

(e) **South Bank stream**

The minimum salaries payable to adult employees engaged within the South Bank stream are prescribed in the table below:

Classification Level	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
Car park supervisor	1,489	38,847
Car park attendant	1,437	37,490

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
- <sup>2</sup> Rounded to the nearest dollar.
- <sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

(f) **Junior employees - Hospitality stream and South Bank stream**

- (i) Junior employees within the Hospitality stream and South Bank stream, respectively, shall be entitled to not less than the following proportion of the appropriate adult rate for the relevant classification:

Under 17 years of age	55%
17 and under 18 years of age	65%
18 and under 19 years of age	75%
19 and under 20 years of age	85%

- (ii) Junior rates shall be calculated in multiples of \$0.10 with any result of \$0.05 or more being taken to the next highest \$0.10 multiple.
- (iii) Junior employees in the Hospitality stream may be employed in the sale of liquor on reaching the age of 18 years. Where such a junior is employed, the adult Award rate for the work being performed shall be paid. An employer may at any time demand the production of a birth certificate or other satisfactory proof for the purpose of ascertaining the correct age of the junior employee. If a birth certificate is required, the cost shall be

borne by the employer.

(g) **Rabbit Board stream**

- (i) The minimum salaries payable to employees engaged within the Rabbit Board stream are prescribed in the table below:

Classification Level	Award Rate <sup>1</sup> Per Fortnight \$ <sup>2</sup>	Annual Salary <sup>3</sup> \$ <sup>2</sup>
Employee undertaking training	1,409	36,759
General construction and maintenance worker Grade 1	1,453	37,907

*Notes:*

- <sup>1</sup> Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.  
<sup>2</sup> Rounded to the nearest dollar.  
<sup>3</sup> Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

- (ii) Any new employee who is undertaking training shall receive a full-time wage of not less than the rate shown in the table in clause 12.3(g)(i) for a period not exceeding 8 months.
- (iii) Notwithstanding the provision of clause 12.3(g)(ii) the training rate shall not apply to those employees who are adequately skilled to perform the duties of the general construction and maintenance worker grade 1.

(h) **Payment of salaries**

Salaries shall be paid fortnightly, or weekly in the case of car park attendants employed by South Bank, and may at the discretion of the chief executive be paid by electronic funds transfer.

**12.4 Late work payment - Hospitality stream**

- (a) An employee in the Hospitality stream who is required to work any ordinary hours between 2200 to 2400 Monday to Friday, inclusive, shall be paid an additional \$1.84 per hour for any hour or part thereof for any time worked within the said hours with a minimum payment of \$2.76 (i.e. one and one-half hours).
- (b) An employee who is required to work any ordinary hours between 0000 and 0600 Monday to Friday, inclusive, shall be paid an additional \$2.76 per hour for any hour or part thereof for any time worked within the said hours.

**12.5 Employer must not make certain deductions - Hospitality stream**

The employer must not deduct any sum from the salary or income of an employee engaged in the Hospitality stream in respect of breakages or cashiering underings except in the case of wilful misconduct and/or gross negligence.

**12.6 Work allocation**

An employee appointed to or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

**12.7 Incidental and peripheral tasks**

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

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

#### **12.8 Recognition of qualifications - Administrative stream**

- (a) An employee appointed to the Administrative stream who has satisfied assessment requirements for an AQF3, AQF4, AQF5 or AQF6 qualification acceptable to the chief executive shall be paid no less than classification level 2, paypoint 1.
- (b) An employee appointed to the Administrative stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the chief executive shall be paid not less than classification level 2, paypoint 7.
- (c) Nothing in clause 12.8 shall prevent an employee from accessing the provisions of clause 12.2(f).

#### **12.9 Movement between classification levels - other than Hospitality, South Bank and Rabbit Board streams**

- (a) Except as provided below and in Schedule 3 of this Award, movement between classification levels will be based on appointment on merit to vacancies.
- (b) Annual increments will continue to apply in accordance with the relevant provisions of clause 12.11 to employees moving between classification level 1 and classification level 2 of the Administrative stream.
- (c) Subject to clause 12.2(f) an employee promoted to a position at a higher classification level within the same stream shall be appointed to paypoint one of that higher classification level.
- (d) Appointment to level 6 of the Forestry stream is by way of promotion of existing level 5 staff to level 6 by way of progression based on satisfying certain criteria as detailed in Schedule 3 with respect to holding exceptional skills and capacity.
- (e) Farmhands and gardeners employed by Agriculture will be eligible to apply for progression to level 3 of the Operational stream upon satisfying the following criteria:
  - (i) must have performed duties at a satisfactory standard at level OO2 paypoint 4 for a minimum of 12 months before becoming eligible for progression to level OO3; and
  - (ii) holds mandatory qualifications and certificates relevant to the operations of the local work or industry area, as determined by the department; and
  - (iii) demonstrates core competencies specific to the local work or industry area and other specific criteria, e.g. workplace health and safety, computer literacy, etc, as determined by the department.
- (f) An agricultural assistant employed by DET will be eligible for progression to level 3 of the Operational stream upon satisfying criteria specified by the chief executive at the date the agricultural assistant ceased to be award-free.



### 12.10 Movement within classification levels - Hospitality stream

- (a) Movement between classification levels within the Hospitality stream is based on the employee having received the appropriate level of training and/or possessing necessary qualifications, skills and experience.
- (b) To progress to a higher classification level, an employee must be able to demonstrate a competent level of work performance for that classification level.
- (c) Implicit in movement between levels is the existence of a suitable vacancy to which the employee can be appointed. Progression is based on duties of the role rather than tenure.

### 12.11 Movement within classification levels (increments) - Administrative and Operational streams

Movement within classification levels is to be based on meeting the following requirements:

- (a) Except in the case of an employee who is paid the prescribed basic salary on attaining the age of 21 years or in the case of a promotion, or transfer and promotion, from one classification level to another, an increase is not to be made to the salary of any employee until:
  - (i) In the case of a full-time employee: the employee has received a salary at a particular classification and paypoint for a period of 12 months.
  - (ii) In the case of a part-time employee at classification level 1 or 2 of the Administrative stream or classification level 1, 2 or 3 of the Operational stream: the employee has received a salary at a particular classification and paypoint on a *pro rata* basis, for a period of 12 months.
  - (iii) In the case of all other part-time employees at classification levels other than those at clause 12.11(a)(ii):
    - (A) the employee has received a salary at a particular classification and paypoint for a period of at least 12 months; and
    - (B) the employee has worked 1,200 ordinary hours in such classification.
  - (iv) In the case of a casual employee with 12 months' **continuous service** with the same employer:
    - (A) the employee has received a salary at a particular classification and paypoint for a period of at least 12 months; and
    - (B) the employee has worked 1,200 ordinary hours in such classification.

For the purpose of clause 12.11(a)(iv), **continuous service** for a casual employee is considered to be broken if more than 3 months, excluding any public holidays, has elapsed between the end of one employment contract and the start of the next employment contract.

- (b) Notwithstanding anything contained elsewhere in this Award, an employee is not entitled to move to the next salary increment level by virtue of the Award unless:
  - (i) In the case of employees:
    - (A) in levels 1 and 2 of the Administrative stream; and

(B) in levels 1, 2 and 3 of the Operational stream,

the conduct, diligence and efficiency of the employee has been certified by the chief executive to have been and to be satisfactory.

(ii) In the case of employees in all other classification levels, performance objectives have been achieved as certified by the chief executive.

#### **12.12 Performance of higher duties - other than Forestry stream and Hospitality stream**

- (a) An employee, other than an employee engaged in the Forestry stream or Hospitality stream, directed to temporarily fill a position for more than three consecutive working days at a higher classification level within the same stream shall be paid extra remuneration at the first paypoint of the classification level of the position being temporarily filled.
- (b) An employee directed to temporarily fill a position for more than three consecutive working days at a classification level within a different stream as determined by this Award shall be paid extra remuneration either:
- (i) at the first paypoint of the classification level of the position being temporarily filled; or
- (ii) at the next highest paypoint above their existing salary level, within the classification level of the position being temporarily filled,

whichever is higher.

*Note: Where a directive about higher duties covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

#### **12.13 Higher duties - Forestry stream**

- (a) An employee temporarily called upon to perform all, or a substantial part, of the duties of a position at a higher level within the Forestry stream at levels FE2 to FE5 for a minimum of one working day, will, subject to certification by the employee's supervisor, attract a pay rate applicable to the higher level.
- (b) An employee temporarily called upon to perform all, or a substantial part, of the duties of a position at a higher level within the Forestry stream at levels FE6 or FE7 for a minimum of three working days, will, subject to certification by the employee's supervisor, attract a pay rate applicable to the higher level.
- (c) Where a public holiday falls on an employee's rostered ordinary work day, the rate of pay due to the employee for such holiday will be determined by the level of the position in which the employee was working on the working day immediately before such public holiday.
- (d) The rate of pay for an employee losing time through wet weather or sickness will be determined on the same principle as prescribed by clause 12.13(c).

#### **12.14 Mixed functions - Hospitality stream**

An employee engaged in the Hospitality stream who is required to perform work on any day for which a higher rate of wage is prescribed, and this is not as part of an accredited course which has an on the job training component, shall be paid as follows:

- (a) if more than 2 hours on any day are worked - payment of the higher rate for the whole of such day;

- (b) if 2 hours or less are worked - payment of the higher rate for 4 hours.

### **12.15 Cleaners employed by State Government departments and agencies as at 12 November 1993**

Cleaners employed by departments and agencies of the State of Queensland as at 12 November 1993 are entitled to certain additional all purpose allowances as prescribed in Schedule 6.

## **13. Allowances**

### **13.1 Adverse conditions allowance**

All employees engaged by Agriculture within the Forestry stream working in the open and thereby being subject to adverse conditions such as working in isolated and undeveloped locations, exposure to heat, cold, wind, wetness, dust, mud, dirty conditions and lack of amenities are to be paid an allowance at the rate of \$30.20 per week which shall be treated as part of their ordinary rate of pay for all purposes of this Award.

### **13.2 Broken work allowance**

An employee, other than school crossing supervisors, engaged on work where the ordinary hours of duty are subject to a break in continuity other than for the purposes of meal breaks to a maximum of one hour and for rest pauses shall be paid an additional \$7.78 per day for each day so worked.

### **13.3 Camp allowance and accommodation**

- (a) Where for the performance of work it is necessary for an employee to live in a camp provided by the employer either because there are no reasonable transport facilities to enable the employee to travel to and from home each day or because the employee is directed to live in such camp the employee shall be paid a camping allowance of \$15.85 for each day (including Saturday and Sunday) they live in camp.
- (b) When an employee lives in a camp during the week and returns home or is otherwise absent from camp for not more than 2 nights during such week, but do not absent themselves from the job for any of the ordinary working hours, they shall be paid the camping allowance for each of the five normal working days.
- (c) The camp shall be provided free of charge by the employer with board and accommodation of a suitable standard.
- (d) In lieu of the provisions at clauses 13.3(a), (b) and (c), an employee of the Rabbit Board may, by mutual agreement with the employer, determine a fair and reasonable allowance for the purchase and maintenance of camp equipment provided that such allowance is no less than the entitlement prescribed in clauses 13.3(a), (b) and (c).
- (e) An employee of the Rabbit Board, while living or stationed on the fence, shall be provided sufficient accommodation for the employee and their partner free of charge.
- (f) Clause 13.3 does not apply to the following employees:
  - (i) a teacher aide attending an established school camp; and
  - (ii) an employee engaged by Agriculture within the Forestry stream who is occupying barracks as their permanent place of residence.

**13.4 Dingo barrier fence personnel and employees within the Forestry stream engaged by Agriculture**

- (a) All dingo barrier fence personnel engaged by Agriculture are entitled to wet weather and waterproof clothing.
- (b) Where an employee is required to work away from their designated headquarters at such a distance that they cannot reasonably return to their place of residence overnight, the employer will either:
  - (i) provide the employee with reasonable board and lodging; or
  - (ii) pay an accommodation allowance of \$400.40 per week (\$57.20 per day) but such allowance is not to be treated as salary.
- (c) Where an employee's services are terminated while working away on site, such employee shall be transported by the employer as soon as practicable to the nearest means of public transport.

**13.5 Divisional and District parities**

- (a) In addition to the rates of wages set out in this Award the following weekly amounts shall be paid to employees employed in the Divisions and Districts referred to hereunder:

Division and District	Per week \$
Northern Division, Eastern District	1.05
Northern Division, Western District	3.25
Mackay Division	0.90
Southern Division, Western District	1.05

- (b) Divisions:
  - (i) Northern Division - That portion of the State along or north of a line commencing at the junction of the sea coast with the 21st parallel of south latitude; then from that latitude due west to 147 degrees of east longitude; then from that longitude due south to 22 degrees 30 minutes of south latitude; then from that latitude due west to the western border of the State.
  - (ii) Mackay Division - That portion of the State within the following boundaries: Commencing at the junction of the sea-coast with the 21st parallel of south latitude; then from that latitude due west to 147 degrees of east longitude; then from that longitude due south to 22 degrees of south latitude; then from that latitude due east to the sea coast; then from the sea-coast northerly to the point of commencement.
  - (iii) Southern Division - That portion of the State not included in the Northern or Mackay Divisions.
- (c) Districts:
  - (i) Northern Division:
    - Eastern District - That portion of the Northern Division along or east of 144 degrees 30 minutes of east longitude.
    - Western District - The remainder of the Northern Division.
  - (ii) Southern Division:

Eastern District - That portion of the Southern Division along or east of a line commencing at the junction of the southern border of the State with 150 degrees of east longitude; then from that longitude due north to 25 degrees of south latitude; then from that latitude due west to 147 degrees of east longitude; then from that longitude due north to the southern boundary of the Mackay Division.

Western District - The remainder of the Southern Division.

### **13.6 First-aid allowance**

- (a) An employee holding a certificate in first-aid issued by the Queensland Ambulance Service or equivalent qualification, who is appointed in writing by the chief executive as a first-aid attendant shall be paid an additional \$3.28 per day, or in the case of an employee engaged in the Forestry stream an extra \$16.40 per week where the employee is appointed for three days or more.
- (b) This allowance shall be treated as part of the ordinary rate of pay for the purposes of annual leave (but not loading on leave), sick leave, long service leave and all other paid leave.

### **13.7 Laundry allowance**

An employee who is required to launder departmental items at their own expense shall be paid the following additional allowances:

Lab coat or overall	\$0.60 per item
Pillow cases, tea towels or bath mats	\$0.25 per item
Quilt or blanket	\$0.40 per item
Bed sheet	\$0.30 per item
Towels	\$0.25 per item

### **13.8 Live/raw sewerage**

- (a) An employee who on any day is required to remove or release blockages in septic lines/or toilet connections or engaged in work involving personal contact with live or raw sewerage, other than merely by hosing, shall be paid for a minimum of 4 hours at the rate of time and one-half.
- (b) Clause 13.1 does not apply to an employee while they are in receipt of the live/raw sewerage allowance.

### **13.9 Motor vehicle allowance**

- (a) Where an employer requires an employee to use their own vehicle in or in connection with the performance of their duties, the employee shall be paid an allowance for each kilometre of authorised travel as follows:
  - (i) motor vehicle - \$0.77 per kilometre; and
  - (ii) motorcycle - \$0.26 per kilometre.
- (b) An employer may require an employee to record full details of all such official travel requirements in a log book.

*Note: Where a directive about motor vehicle allowances covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

### 13.10 Overtime meal allowances and meal breaks

- (a) An employee working day work required to work overtime for:
- (i) more than 2 hours after ordinary ceasing time or for more than one hour continuing beyond 1800 on any normal working day; or
  - (ii) more than 4 hours on a scheduled day off or a rostered day off,
- shall be provided with an adequate meal at the employer's expense or paid a meal allowance of \$12.85 in lieu of the provision of such meal.
- (b) A shift worker required to work overtime for:
- (i) more than 2 hours after ordinary ceasing time on any normal working day; or
  - (ii) more than 4 hours on a scheduled day off, public holiday or a rostered day off,
- shall be provided with an adequate meal at the employer's expense or paid a meal allowance of \$12.85 in lieu of the provision of such meal.
- (c) An employee working overtime in the circumstance mentioned in clause 13.10(a)(i) shall be entitled to take a 30 minute unpaid meal break at a time agreed between the employer and employee.
- (d) An employee working overtime in the circumstance mentioned in clause 13.10(b)(i) shall be entitled to take a 30 minute paid crib break after the first 2 hours worked.
- (e) Where the employer requires the employee to continue working for a further 4 hours of continuous overtime work in either of the situations mentioned in clauses 13.10(a) or (b), the employee shall be entitled to a 30 minute unpaid meal break and either provided with an adequate meal at the employer's expense or paid an additional meal allowance of \$12.85.
- (f) Where an employee has been given notice to work overtime on the previous working day or prior thereto, and has brought to work a prepared meal and such overtime is cancelled, the employee shall be paid a meal allowance of \$12.85 for such prepared meal.
- (g) An employee engaged by Agriculture within the Forestry stream, who is required to commence work more than 2 hours before the ordinary commencing time, shall be allowed one-half hour for breakfast in the employer's time provided the employee resumes work at the end of such half hour.
- (h) Notwithstanding the provisions of clause 13.10(e), where an employee engaged by Agriculture within the Forestry stream is required to continue working overtime in any of the situations mentioned in clauses 13.10(a) or (b), the employee shall be entitled to:
- (i) a 30 minute paid meal break after the expiration of the said 2 hours, or one hour beyond 1800; and
  - (ii) a 45 minute paid meal break after each further 4 hours worked.

*Note: Where a directive about overtime meal allowance covers an employee, including those employees captured under Schedule 8 of this Award, the directive applies to the extent it provides a more generous entitlement.*

### **13.11 Risk allowance - employees handling materials or animals infected with disease pathogenic to humans**

An employee of Agriculture employed at a regional experimental station, research station or animal health station who is required to handle materials or animals infected with disease pathogenic to humans shall be paid an additional \$21.50 per fortnight.

### **13.12 Special allowance - Agriculture**

In addition to the salaries prescribed in this Award, all employees engaged by Agriculture within the Forestry stream shall be paid a special allowance of \$32.25 per week which is to be treated as part of their ordinary rate of pay for all purposes of this Award.

### **13.13 Toilet cleaning allowance**

- (a) An employee, other than one employed as a cleaner by DET in a school, environmental education centre or outdoor education centre, who is required to clean toilets connected with septic tanks or sewerage shall be paid an additional \$1.84 per day.
- (b) A unit support officer of DET who is required to perform maintenance duties on clivus multrum composting toilet systems shall be paid an additional \$14.49 per hour.

### **13.14 Uniform allowance**

- (a) Where the employer requires an employee to wear a uniform, the employee shall be supplied suitable uniforms of good quality as approved by the employer. Uniforms shall be replaced by the employer on a fair wear and tear basis.
- (b) Where an employee is required to wear uniforms the employer must launder the uniform without charge to the employee or pay the employee an extra \$0.42 per day.
- (c) Where uniforms are supplied to an employee engaged in the Hospitality stream, the employer may charge a deposit for the supply of such uniforms, subject to the following conditions:
  - (i) the employer shall refund the amount of the deposit on return of uniforms at the point of termination of employment;
  - (ii) the employer may retain the deposit if the uniforms are not returned of termination;
  - (iii) the maximum deposit which may be charged is \$40.00 per uniform.

### **13.15 Waterproof clothing**

- (a) An Agricultural assistant or support officer employed by DET in an environmental education centre who is required to work in the rain shall be provided with suitable waterproof clothing by the employer.
- (b) An employee of the Rabbit Board who is compelled to work in wet weather shall be supplied with oilskin coats or other suitable covering.

### **13.16 Wet conditions and work in the rain**

- (a) The following conditions apply to:
  - (i) employees engaged by Agriculture within the Forestry stream;
  - (ii) employees of the Rabbit Board; and

- (iii) employees of Agriculture employed at regional experimental stations, research stations and animal health stations or as farm supervisors.
- (b) Subject to clause 13.16(c), all time lost through wet conditions shall be paid for, provided the employee turns up for work and holds themselves in readiness. The supervising employee or employee who acts in the absence of that employee, and under whose direction the employee is working, shall decide whether it is too wet to work.
- (c) When an employee is prevented by wet weather from following their usual vocation, unless the employee is willing to perform any work the employer may direct them to do during such wet weather, they shall not be entitled to payment for such time lost.
- (d) Where practicable, suitable waterproof clothing shall be supplied by the employer to an employee who is required to work in the rain.
- (e) Notwithstanding the foregoing, if during the performance of work the employee gets their clothes wet, the employee shall be paid double time for all work performed and such payment shall continue until the employee is able to change into dry clothing or until that person ceases work, whichever is the earlier.

### **13.17 Adjustment of monetary allowances**

- (a) Other than the expense related allowances at clauses 13.3 (camp allowance and accommodation), 13.4 (accommodation allowance - employees within the Forestry stream), 13.7 (laundry allowance), 13.9 (motor vehicle allowance), 13.10 (overtime meal allowances and meal breaks), 13.14 (uniform allowance) and Divisional and District parities at clause 13.5, respectively, all other monetary 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 12.4(a) and (b) (late work payment - Hospitality stream) shall also be adjusted in the same manner and at the same time as monetary allowances are adjusted in accordance with clause 13.17(a).
- (c) At the time of any adjustment to the wage rates in this Award the expense related allowances at clauses 13.3 (camp allowance and accommodation), 13.4 (accommodation allowance - employees within the Forestry stream), 13.7 (laundry allowance), 13.9 (motor vehicle allowance), 13.10 (overtime meal allowances and meal breaks) and 13.14 (uniform 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 (ABS Cat No. 6401.0 - Table 7)</u>
Accommodation allowance - employees within the Forestry stream <i>(last adjusted 1 September 2015)</i>	Domestic holiday, travel and accommodation sub-group
Camp allowance <i>(last adjusted 1 September 2016)</i>	Other recreation, sport and culture sub-group



Motor vehicle allowance  
(last adjusted 1 September 2014)

Private motoring sub-group

Overtime meal allowance  
(last adjusted 1 September 2016)

Take-away and fast foods sub-group

Uniform and laundry allowance  
(last adjusted 1 September 2014)

Clothing and footwear group

## 14. Superannuation

- (a) Subject to Commonwealth legislation and clause 14(c), all employers subject to this Award, **other than the Rabbit Board**, must comply with superannuation arrangements prescribed in the *Superannuation (State Public Sector) Act 1990* (and associated Deed, Notice and Regulation).
- (b) The **Rabbit Board** will make superannuation contributions to QSuper or Sunsuper on behalf of all of its employees covered by this Award of not less than the amount set from time to time as the superannuation guarantee levy in the *Superannuation Guarantee (Administration) Act 1992* (Cth).
- (c) 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 employer contributions are directed, the employer will direct contributions to the relevant fund described in the Act mentioned in clause 14(a) or the fund mentioned in clause 14(b), as appropriate.

## PART 5 - Hours of Work and Related Matters

### 15. Hours of duty

#### 15.1 Ordinary hours of duty

- (a) Except as provided in the table below or in clause 15.1(b), the ordinary hours of duty for all employees covered by this Award, exclusive of meal breaks, shall be an average of 38 hours per week and 7.6 hours per day, with a maximum of 8 hours per day.

Classification, group or area	Ordinary hours of work per week	Ordinary hours of work per day	Maximum ordinary hours of work per day
(i) <b>Employees employed by Department of Premier and Cabinet or Department of Science, Information Technology and Innovation or a cultural centre Board - working in a cultural centre:</b>			
<ul style="list-style-type: none"> <li>employees engaged in the Hospitality stream</li> </ul>	38	Minimum of 4 hours and maximum of 10 hours	12 subject to agreement between the employer and employee
<ul style="list-style-type: none"> <li>Car park attendants</li> </ul>	38	10	12 subject to agreement between the employer and employee
(ii) <b>South Bank:</b>			
<ul style="list-style-type: none"> <li>Car park attendants</li> </ul>	38	10	

Classification, group or area	Ordinary hours of work per week	Ordinary hours of work per day	Maximum ordinary hours of work per day
			12 subject to agreement between the employer and employee

- (b) Unless otherwise provided, the ordinary hours of duty of employees are to be worked on a maximum of five days of each week, on one of the following bases as agreed between the employer and the employees concerned:
- (i) 38 hours within a work cycle not exceeding 7 consecutive days; or
  - (ii) 76 hours within a work cycle not exceeding 14 consecutive days; or
  - (iii) 114 hours within a work cycle not exceeding 21 consecutive days; or
  - (iv) 152 hours within a work cycle not exceeding 28 consecutive days.
- (c) Notwithstanding the working hours arrangements recorded in clause 15.1(a), an employer and an employee or group of employees may agree that hours of work can exceed 8 hours on any day, to a maximum of 10 hours, thus enabling more than one rostered day off to be taken during a particular work cycle.
- (d) Different methods of working a 38 hour week may apply to individual employees, groups or sections of employees in each location concerned.
- (e) Rostered day off
- (i) The employer is to allow general employees access to at least one rostered day off in any work cycle unless the employer and employee otherwise agree.
  - (ii) Where the arrangement of ordinary hours of work provides for a rostered day off, the employer and an individual employee and/or the majority of employees concerned may agree to accrue up to a maximum of five rostered days off.
  - (iii) Where such agreement has been reached, the accrued rostered days off shall be taken within 12 calendar months of the date on which each rostered day off was accrued. Consent to accrue rostered days off shall not be unreasonably withheld by either party.
- (f) Notwithstanding clauses 15.1(b), (e) and (g), by mutual agreement between the employer and an individual employee and/or the majority of employees concerned, work in isolated localities may be performed over a 152 hours x 4 week cycle to provide for additional rostered days off to be taken at a time suitable to the employer and employee/s.
- (g) Scheduled days off - where work is performed on other than a Monday to Friday basis
- (i) Unless prescribed elsewhere in this Award all employees whose ordinary hours of duty may be worked on days other than Monday to Friday shall be entitled to not less than two consecutive scheduled days off duty each week.
  - (ii) In lieu of two whole days off in each week, an employee may be allowed in each fortnightly period either one scheduled day off in one week and three consecutive scheduled days off in the other week or four consecutive scheduled days off.

- (iii) Two consecutive scheduled days off, one at the end of one week and one at the beginning of the following week may be counted as meeting the requirements of clause 15.1(g)(i).
- (h) Notwithstanding the provisions of clause 15.1(a) to (f), inclusive, the ordinary hours of work for employees employed on motor vessels owned and operated by the Fisheries Research Branch of Agriculture will be as follows:
  - (i) Working hours shall be those that are necessary to effectively carry out the duties associated with the provision of services by Agriculture, but shall be an average of 38 hours per week, over a work cycle of 228 hours.
  - (ii) Hours worked in excess of 228 ordinary hours over the work cycle shall be compensated for in accordance with the provisions of clause 18.4(a)(ii).
  - (iii) Each employee shall be required to work no more than 30 days in each six week (42 days) work cycle.
  - (iv) The 12 days off each work cycle shall be allowed at a minimum of two consecutive days off in each instance, except in emergent circumstances or where there is mutual agreement between the employee and the employer.
- (i) Employees of DET employed in schools may be required to accumulate additional ordinary hours at ordinary rates with deferred payment, with such accumulated additional hours (referred to as accumulated days off) to be taken during school vacations or at other times mutually agreed between the school principal and the employee.
- (j) Notwithstanding the provisions of clause 15.1, the following provisions apply to an employee in the Hospitality stream:
  - (i) Where an employee is rostered to work on four consecutive days for 10 or more hours per day, such employee shall not be rostered for work again for more than four consecutive days of such hours without a break of at least 48 hours between rostering periods.
  - (ii) An employee rostered to work shifts of 9 or more ordinary hours in a four week period shall be entitled to at least nine full days off per period, and in any other case, eight days off will be allowed.
  - (iii) No employee shall be rostered to work for more than 10 successive days without a day off.

## **15.2 Shift work arrangements**

- (a) Shift work may be introduced to meet operational requirements. Such shift work shall be worked in accordance with a roster mutually agreed between the chief executive and the employees directly affected. Any discussions concerning the introduction of shift work or roster variations shall be conducted in accordance with the provisions of clause 6.2 of this Award.
- (b) Shifts extending beyond 10 hours up to a maximum of 12 hours may be worked where there is agreement between the employer and the majority of employees affected.
- (c) A roster setting out the employees' days of duty and starting and finishing times on such days shall either be displayed in a convenient place or made available electronically to employees at least one work cycle in advance.
- (d) A shift worker shall not perform more than two consecutive shifts (e.g. day shift/afternoon shift; afternoon shift/night shift).

- (e) Changes within a roster shall be by agreement between the employer and the employee concerned but failing agreement 24 hours' notice of any change in the roster must be given by the employer or double time is to be paid for the employee's next shift.
- (f) The payment referred to in clause 15.2(e) shall not be applicable where rosters are changed due to emergent circumstances.
- (g) The provisions of clause 15.2 do not apply to employees employed by Agriculture on motor vessels owned and operated by the Fisheries Research Branch.

### 15.3 Spread of ordinary hours of duty - day workers

- (a) The spread of ordinary hours of duty for day workers shall be 0600 to 1800, Monday to Sunday, or other spread of hours as recorded in the table below:

Department, classification, group or area	Spread of ordinary hours
(i) <b>Rabbit Board</b>	0000 to 2400, Monday to Sunday
(ii) <b>Department of Aboriginal and Torres Strait Islander Partnerships:</b> <ul style="list-style-type: none"> <li>• Employees engaged in retail stores in Indigenous communities</li> </ul>	0600 to 2000, Monday to Sunday
(iii) <b>Department of Agriculture and Fisheries:</b> <ul style="list-style-type: none"> <li>• Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li> <li>• Field assistants, eradication team members, team leaders and assistant supervisors (eradication) - Biosecurity Incursion Management and Control - Biosecurity</li> <li>• Weed control personnel - Land Protection - Biosecurity</li> <li>• Air quality assessors</li> </ul>	0000 to 2400, Monday to Sunday  0500 to 2000, Monday to Sunday  0500 to 2000, Monday to Sunday  0600 to 2200, Monday to Sunday
(iv) <b>Department of Education and Training:</b> <ul style="list-style-type: none"> <li>• Teacher aides</li> <li>• Assistant community liaison officers, vocational projects officers, community advisers and youth workers (Schools)</li> <li>• Cleaners who attend work twice daily</li> <li>• Chief cook, second cook, qualified cook, cook, single hand cook, kitchenhand, waiter, house attendant/waiter, house attendant</li> <li>• Runaway Bay Sport and Leadership Excellence Centre                             <ul style="list-style-type: none"> <li>○ Cleaners</li> </ul> </li> <li>○ Instructional staff (swim instructors, group exercise instructors, gym instructors and personal fitness trainers)</li> </ul>	0000 to 2400, Monday to Sunday  0600 to 2100, Monday to Sunday  0600 to 2100, Monday to Sunday  0500 to 2100, Monday to Sunday  0500 to 2300, Monday to Friday 0600 to 2100, Saturday and Sunday  0500 to 2100, Monday to Friday 0600 to 1730, Saturday 0600 to 1230, Sunday

Department, classification, group or area	Spread of ordinary hours
<p>(v) <b>Department of Premier and Cabinet <u>or</u> Department of Science, Information Technology and Innovation <u>or</u> a cultural centre Board - working in a cultural centre:</b></p> <ul style="list-style-type: none"> <li>• Car park attendants</li> <li>• Employees engaged in the Hospitality stream</li> </ul> <p>* Where broken shifts are worked the spread of hours shall not exceed the ordinary hours worked by an individual employee by more than 3 hours, not including meal breaks, provided that in no case shall the spread of hours exceed 12 hours per day</p> <ul style="list-style-type: none"> <li>• Employees engaged in retail outlets, including in the sale of entry tickets</li> <li>• Theatrical employees (as defined)</li> </ul>	<p>0700 to 2100, Monday to Sunday</p> <p>0000 to 2400, Monday to Sunday*</p> <p>0600 to 2000, Monday to Sunday</p> <p>0800 to 2330, Monday to Sunday</p>
<p>(vi) <b>All departments engaging cleaners:</b></p> <ul style="list-style-type: none"> <li>• Cleaners who attend work twice daily</li> </ul>	<p>0600 to 2100, Monday to Sunday</p>
<p>(vii) <b>South Bank:</b></p> <ul style="list-style-type: none"> <li>• Car park attendants</li> </ul>	<p>0700 to 2100, Monday to Sunday</p>

- (b) The ordinary starting and finishing times of various groups of employees or individual employees may be staggered by their employer.
- (c) Starting and finishing times may be altered to suit geographic, safety, climatic or traffic conditions by the employer with the agreement of the majority of employees concerned. Any such altered starting and finishing time will not invoke any penalty payment that would be payable if the Award spread of hours were observed.
- (d) 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 starting and finishing work including personal clean up will be in the employee's time.

#### 15.4 Payment for working ordinary hours - day workers

- (a) Except where otherwise provided in the table in clause 15.4(b) below, all ordinary hours of duty performed by a day worker within the ordinary spread of hours prescribed in clause 15.3 shall be paid for as follows:
- (i) Monday to Friday - ordinary time;
  - (ii) between 0000 and 2400 on a Saturday - time and one-half;
  - (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 23.1.
- (b) Table:

Department, classification, group or area	Relevant % of the ordinary base salary		
	Ordinary hours worked Monday to Friday	Ordinary hours worked between 0000 and 2400 on a Saturday	Ordinary hours worked between 0000 and 2400 on a Sunday
(i) <b>Rabbit Board</b> <ul style="list-style-type: none"> <li>All employees</li> </ul>	100%	100%	100%
(ii) <b>Department of Aboriginal and Torres Strait Islander Partnerships:</b> <ul style="list-style-type: none"> <li>Full-time and part-time employees employed as assistant store managers or shop assistants</li> <li>Casual employees employed as assistant store managers or shop assistants</li> </ul>	100%	125%	150%
(iii) <b>Department of Agriculture and Fisheries:</b>			
<ul style="list-style-type: none"> <li>All dingo barrier fence personnel</li> </ul>	Where ordinary rosters incorporating weekend ordinary hours are agreed between the employer and the majority of employees affected:	100%	100%
	Where ordinary rosters incorporating weekend ordinary hours are determined by the employer where agreement with the majority of employees affected is not reached:	100%	150%
<ul style="list-style-type: none"> <li>Operations assistants (Lands Research Stations) - Biosecurity</li> <li>Field assistants, eradication team members, team leaders and assistant supervisors (eradication) - Biosecurity Incursion Management and Control - Biosecurity</li> <li>Weed control personnel - Land Protection - Biosecurity</li> <li>Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li> <li>Employees engaged within the Forestry stream</li> </ul>	100%	100%	100%
<ul style="list-style-type: none"> <li>Field assistants, eradication team members, team leaders and assistant supervisors (eradication) - Biosecurity Incursion Management and Control - Biosecurity</li> <li>Weed control personnel - Land Protection - Biosecurity</li> <li>Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li> <li>Employees engaged within the Forestry stream</li> </ul>	100%	100%	100%
<ul style="list-style-type: none"> <li>Weed control personnel - Land Protection - Biosecurity</li> <li>Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li> <li>Employees engaged within the Forestry stream</li> </ul>	100%	100%	100%
<ul style="list-style-type: none"> <li>Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li> <li>Employees engaged within the Forestry stream</li> </ul>	100%	100%	100%
<ul style="list-style-type: none"> <li>Employees engaged within the Forestry stream</li> </ul>	100%	150%	175%
(iv) <b>Department of Premier and Cabinet or Department of Science, Information Technology and Innovation or a cultural centre Board - working in a cultural centre:</b> <ul style="list-style-type: none"> <li>Casual car park attendants</li> </ul>	100%	100% then 125% for ordinary hours worked in excess of 4 hours	200%

Department, classification, group or area	Relevant % of the ordinary base salary		
	Ordinary hours worked Monday to Friday	Ordinary hours worked between 0000 and 2400 on a Saturday	Ordinary hours worked between 0000 and 2400 on a Sunday
<ul style="list-style-type: none"> <li>• Car park attendants</li> <li>• Car park attendants working as continuous shift workers</li> <li>• Employees engaged within the Hospitality stream (other than casuals)</li> <li>• Employees engaged in retail outlets including the sale of entry tickets                             <ul style="list-style-type: none"> <li>○ Full-time and part-time</li> <li>○ Casual employees (plus loading)</li> </ul> </li> <li>• Theatrical employees</li> </ul>	100%	125%	200%
<ul style="list-style-type: none"> <li>• Car park attendants</li> <li>• Casual car park attendants</li> </ul> <p>*with a minimum payment as for 4 hours' work</p> <ul style="list-style-type: none"> <li>• Car park attendants working as continuous shift workers</li> </ul>	100%	100% then 125% for ordinary hours worked in excess of 4 hours	200%*
<ul style="list-style-type: none"> <li>• Cleaners</li> </ul>	100%	150%	175%

(c) The Sunday penalty referred to in clause 15.4(a)(iii) shall include the casual loading paid to casual employees.

(d) The extra payments prescribed in clause 15.4 will not apply where an employee works on their rostered day/s off in accordance with the provisions of clause 15.1(f).

**15.5 Payment for working ordinary hours - shift workers**

(a) Subject to clauses 15.5(c) and (d), an employee who works 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.

(b) Subject to clause 15.5(c) all ordinary hours of duty worked by a shift worker on a weekend or a public holiday shall be paid for as follows:

- (i) between 0000 and 2400 on a Saturday - time and one-half;
  - (ii) between 0000 and 2400 on a Sunday - double time; and
  - (iii) between 0000 and 2400 on a public holiday - at the rate prescribed in clause 23.1.
- (c) The payments prescribed in clauses 15.5(a) and (b) shall be calculated on a majority of shift basis. This means, for example:
- (i) if the majority of the ordinary hours of a shift which commenced on a Friday are worked on a Saturday, the whole of the shift is to be treated as having been worked on a Saturday; and
  - (ii) if the majority of the ordinary hours of a shift which commenced on a Saturday are worked on a Sunday, the whole of the shift is to be treated as having been worked on a Sunday; and
  - (iii) if the majority of the ordinary hours of a shift which commenced on a Sunday are worked on a Monday, the whole of the shift is to be treated as having been worked on a Monday.
- (d) The provisions of clause 15.5 do not apply to employees employed by Agriculture on motor vessels owned and operated by the Fisheries Research Branch.

## **16. Meal breaks**

### **16.1 Meal breaks - day workers**

- (a) All day workers who work in excess of 5 hours on any day shall be allowed not less than 30 minutes for an unpaid meal break between the third and sixth hours of duty. In the case of employees engaged within the Hospitality stream, 6 hours shall be substituted for 5.
- (b) Where it is mutually agreed between the employer and an employee, that in order to maintain the continuity of work, the hours of duty may be inclusive of meal times. Where this occurs no deduction shall be made from the employee's salary.
- (c) Where an employee is directed to work through their normal break the employee shall be paid at the rate of double time for all work so performed until such time as a meal break of the usual duration can be taken or until the employee ceases work for the day.
- (d) Where broken work in a day may be required, the time for taking a meal break shall be mutually agreed between the employer and the majority of employees concerned.

### **16.2 Meal breaks - shift workers**

All shift workers shall be allowed not less than 30 minutes for a meal break, without deduction of salary, with such break being taken at a time which maintains the continuity of work.

## **17. Rest pauses - both day workers and shift workers**

- (a) All employees, other than those engaged within the Hospitality stream, are entitled to a paid rest pause of 10 minutes duration in the employer's time in the first and second half of the working day, subject to the following:
  - (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; or
  - (ii) a total of 20 minutes for an employee who works for at least 6 ordinary hours in any day.



- (b) An employee engaged within the Hospitality stream is entitled to a paid rest pause of 10 minutes duration in the employer's time in the first and second half of the working day, subject to the following:
  - (i) a total of 10 minutes for an employee who works for more than 4 hours but less than 8 ordinary hours in any day;
  - (ii) a total of 20 minutes for an employee who works for at least 8 ordinary hours in any day.
- (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**

- (a) Employees shall work reasonable overtime whenever necessary in the opinion of the chief executive, but 24 hours' notice shall be given, where practicable, to an employee required to work overtime.
- (b) Overtime is to be calculated to the nearest quarter of an hour.

### **18.2 Payment for overtime - day workers**

Except as provided in clauses 8.2, 18.3 and 18.4:

- (a) All authorised time 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 at the rate of time and one-half for the first 3 hours and double time thereafter.
- (b) All authorised overtime worked by an employee on a Saturday shall be paid at the rate of time and one-half for the first 3 hours and double time thereafter with a minimum payment as for 2 hours' work.
- (c) All authorised overtime worked by an employee on a Sunday shall be paid at the rate of double time with a minimum payment as for 2 hours' work.
- (d) All authorised overtime worked by an employee on the employee's rostered day off or first or third scheduled day off shall be paid at the rate of time and one-half for the first 3 hours and double time thereafter with a minimum payment as for 2 hours' work.
- (e) All authorised overtime worked by an employee on the employee's second or fourth scheduled day off during a work cycle shall be paid at the rate of double time with a minimum payment as for 2 hours' work.
- (f) All authorised overtime worked by an employee on a public holiday shall be paid at the rate prescribed in clause 23.1.
- (g) The minimum payments provided in clauses 18.2(b), (c) and (d) shall not apply where such overtime is performed immediately preceding or following ordinary hours.
- (h) Notwithstanding the provisions of clauses 18.2(b), (c), and (d), the minimum payment for employees of Agriculture engaged in the Forestry stream shall be 3 hours, in lieu of 2 hours.

### 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 for at the rate prescribed in clause 23.1.

### 18.4 Overtime arrangements for specific groups of employees

Notwithstanding the provisions of clause 18.2, employees in the departments, classifications, groups or areas in the table below may be compensated for overtime in the manner recorded:

Department, classification, group or area	Overtime arrangements
<p>(a) <b>Rabbit Board:</b></p> <ul style="list-style-type: none"> <li>• all employees</li> </ul>	<p>(i) in lieu of payment and subject to mutual agreement with the employer, an employee may elect to accrue TOIL on a time for time basis</p> <p>(ii) such time off shall be allowed and taken within 12 months of the overtime being worked, or paid out to the employee at the relevant overtime penalty rate</p>
<p>(b) <b>Department of Agriculture and Fisheries:</b></p> <ul style="list-style-type: none"> <li>• employees (excluding casuals) employed on motor vessels owned and operated by the Fisheries Research Branch</li>   <li>• Farm supervisors</li>   <li>• Dingo barrier fence personnel</li> </ul>	<p>(i) hours worked in excess of 228 ordinary hours over a 6 week work cycle (of 42 days) shall be paid at the rate of time and one-half</p> <p>(ii) in lieu of payment and subject to mutual agreement with the employer, an employee may elect to accrue TOIL on a time for time basis</p> <p>(iii) when an employee is required to perform duty on any of their 12 days off in each 6 week work cycle (of 42 days) the employee shall be paid at the rate of double time for the actual time worked with a minimum payment as for 4 hours' work on any one day</p> <p>(iv) in lieu of payment and subject to mutual agreement, another ordinary working day may be substituted for the day off specified in clause 18.4(ii)(c) above</p> <p>(v) where an employee is subsequently required to work on such substituted day, the employee shall be paid the penalties provided for in clause 18.4(ii)(c) above</p> <p>in lieu of payment and subject to mutual agreement with the employer, an employee may elect to accrue TOIL on a time for time basis</p> <p>(i) in lieu of payment and subject to mutual agreement with the employer, an employee may elect to accrue TOIL on a time for time basis</p>

Department, classification, group or area	Overtime arrangements
<ul style="list-style-type: none"> <li>• employees within the Forestry stream</li> </ul>	<ul style="list-style-type: none"> <li>(ii) such TOIL is to be taken within 12 months of the day on which the overtime was worked at a time to be mutually agreed with the employer</li> <li>(iii) where agreement is not reached, TOIL is to be taken as directed by the employer</li> <li>(iv) where TOIL is not utilised within 12 months of the date of accrual, it shall be paid out at the relevant overtime penalties as provided in clause 18.2</li> <li>(i) a minimum payment of 3 hours' work will apply to all overtime worked on a Saturday, Sunday or scheduled day off. Such minimum payment will not apply where such overtime is performed immediately preceding and/or following ordinary hours of work</li> <li>(ii) an employee directed to work on a rostered day off shall be paid 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</li> </ul>
<p>(c) <b>Department of Aboriginal and Torres Strait Islander Partnerships:</b></p> <ul style="list-style-type: none"> <li>• Store managers of retail stores in Indigenous communities</li> </ul>	<p>Store Managers shall receive the following overtime/on call allowance in lieu of overtime payments, on call allowances, and meal allowance during overtime:</p> <ul style="list-style-type: none"> <li>(i) where free quarters are provided: a fortnightly allowance equivalent to 26.31% of the fortnightly salary of AO6 paypoint 1; or</li> <li>(ii) where free quarters are not provided: a fortnightly allowance equivalent to 34.72% of the fortnightly salary of AO6 paypoint 1;</li> <li>(iii) such overtime/on call allowance shall not be payable on paid or unpaid leave.</li> </ul>

### 18.5 Recall to duty - other than from on call

- (a) Subject to clauses 18.5(d) and (e), an employee (**other than an employee on call**) having been recalled to perform duty shall be paid for the time worked with a minimum payment as for 2 hours for each call out at the prescribed overtime rate.
- (b) Should the employee be called out again within that 2 hour period no further minimum payment shall apply to that work which shall be separately paid for at the applicable overtime rate until the overtime is completed.
- (c) An employee engaged by Agriculture within the Forestry stream who is called out between 0000 and 0600 shall be paid at the rate of double time.
- (d) Notwithstanding clause 18.5(a),

- (i) an employee engaged by Agriculture within the Forestry stream who is recalled to perform duty after completing the normal or prescribed hours or after completion of the rostered shift and having left the job site shall be paid for a minimum of 4 hours' work at the appropriate overtime rate for each time the employee is so recalled;
  - (ii) should the employee be called out again within that 4 hour period, no further minimum payment will apply to that work which shall be separately paid for at appropriate overtime rates;
  - (iii) except in the case of unforeseen circumstances the employee will not be required to work the full 4 hours if the job for which the employee has been recalled is completed within a shorter period.
- (e) The minimum payments prescribed in clause 18.5 will not apply:
- (i) in cases where it is customary for an employee to return to the job site out of hours to perform a specific task;
  - (ii) where the overtime worked is continuous (subject to prescribed meal breaks) with the completion or commencement of ordinary working hours; or
  - (iii) where the overtime is continuous with a period during which an employee is required to remain in camp or report to a depot for the protection of departmental property or on fire standby duty.

#### **18.6 Transport costs on recall**

Where an employee is recalled to perform work during an off duty period the employee shall be provided with transport to and from the employee's home or be refunded the cost of such transport.

#### **18.7 On call - additional payments**

- (a) Where an employee is instructed to be available on call outside ordinary or rostered working hours the employee shall be paid an allowance based upon the hourly rate of the classification of **professional officer level 3, paypoint 4** of the *Queensland Public Service Officers and Other Employees Award - State 2014* in accordance with the following scale:
- (i) where the employee is on call throughout the whole of a Saturday, Sunday or a public holiday: 95% of the prescribed hourly rate;
  - (ii) where an employee is on call during the night only of a Saturday, Sunday or a public holiday: 60% of the prescribed hourly rate; and
  - (iii) where an employee is on call on any other night: 47.5% of the prescribed hourly rate.
- (b) For the purpose of calculating the hourly rate, the divisor shall be based upon a 38 hour week and calculated to the nearest \$0.05.
- (c) For the purpose of clause 18.7, a **night** is deemed to consist of those hours falling between 1900 and 0600 or mainly between such hours.

#### **18.8 Recall to duty - from on call**

- (a) **Monday to Friday** - an employee on call being recalled to perform duty shall be paid for the time worked at the overtime rate prescribed in clause 18.2, 18.3 or 18.4, such time to be calculated as from home and return with a minimum payment as for 2 hours' work.

- (b) **Saturday or a Sunday** - an employee on call being recalled to perform duty on a Saturday or a Sunday is to be paid for such overtime at the appropriate overtime rate prescribed in clause 18.2, 18.3 or 18.4 with a minimum payment as for 2 hours' work inclusive of travelling time from home and return.
- (c) **Public holiday** - an employee on call being recalled to perform duty on a public holiday is to be paid for such overtime at the appropriate overtime rate prescribed in clause 23.1 with a minimum payment as for 4 hours' work inclusive of travelling time from home and return.
- (d) An employee on call who undertakes duties without the need to leave the employee's place of residence shall be entitled to the following:
  - (i) where providing advice, referring callers to other staff or organisations, taking details of complaints/incidents for resolution during ordinary hours or directing other staff to attend an incident (normally no greater than 10 minutes for each occurrence) - payment at the overtime rate prescribed in clause 18.2, 18.3 or 18.4 for the actual time worked up to a maximum of 2 hours on any one day. Where at least 4 calls in this category are taken between 2200 and 0600, such calls shall be deemed to constitute a minimum of one hour's work;
  - (ii) where undertaking normal duties (e.g. correcting/resolving faults via internet, making and receiving phone calls in order to manage an incident other than provided for in clause 18.8(d)(i) above) - payment at the overtime rate prescribed in clause 18.2, 18.3 or 18.4 for the actual time worked with a minimum payment of one hour for each time the employee performs such duties. Should such employee be recalled again to perform duties separately within the minimum one hour period, no further payment shall apply; and
  - (iii) the employee will be responsible for the recording of the nature and the times of contact in respect of the types of matters mentioned in clauses 18.8(d)(i) and (ii), respectively, for subsequent verification by the chief executive.
- (e) Any overtime payable in accordance with clause 18.8 shall be in addition to the on call allowances prescribed in clause 18.7(a).
- (f) Clause 18.8 does not apply to employees employed by Agriculture on motor vessels owned and operated by the Fisheries Research Branch.

### **18.9 Fire detention duty - employees engaged by Agriculture within the Forestry stream**

The following conditions will apply to fire detention/standby duty which means duty whereby employees are required to remain in camp or report to a depot for the actual or potential protection of departmental property. Such employees will be required to perform work as directed unless excused from such work.

- (a) Any employee who is required to report to a depot outside ordinary rostered hours on a Saturday, Sunday, scheduled day off, rostered day off, or a public holiday or on the last ordinary working day of the week after the cessation of ordinary duty who actually performs duty will be paid in accordance with clause 18.2.
- (b) The minimum payment for such time worked on a Saturday, Sunday, scheduled day off, rostered day off, or a public holiday will equate with 8 hours' ordinary pay.
- (c) Where an employee is notified that they are required to report to a depot on a Saturday, Sunday, scheduled day off, rostered day off, or a public holiday for the protection of departmental property or on fire standby duty and:

- (i) is not notified of the cancellation of such duty prior to leaving the depot the day before but is notified of such cancellation prior to leaving the employee's place of residence to attend for such duty will be paid a sum equal to 2 hours' pay at the employee's ordinary rate; or
  - (ii) attends at the depot for such duty but is notified of the cancellation of the duty before the notified time of commencement will be paid a sum equal to 4 hours' pay at the employee's ordinary rate.
- (d) An employee instructed to remain in camp overnight on a Saturday, Sunday, scheduled day off, rostered day off, or a public holiday or after ordinary ceasing time on the last ordinary working day of the week and who actually performs duty will, in addition to the payments prescribed in clause 18.8, be paid for each such day as follows:
- (i) Friday - 3 hours at the ordinary rate
  - (ii) Saturday - 4 hours at the ordinary rate
  - (iii) Sunday - 4 hours at the ordinary rate
  - (iv) scheduled day off - 4 hours at the ordinary rate
  - (v) rostered day off - 4 hours at the ordinary rate
  - (vi) public holiday - 4 hours at the ordinary rate
- (e) Where an employee has remained in camp overnight and fire detention duty is cancelled at any time prior to the notified time of commencement of duty on a Saturday, Sunday, scheduled day off, rostered day off, or a public holiday, the employee will be paid an additional amount equal to 2 hours' pay at the ordinary rate.

#### **18.10 Fatigue leave/rest period after overtime**

- (a) An employee who works so much overtime between the termination of ordinary work on one day and the commencement of ordinary work on the next day so that 10 consecutive hours off duty has not occurred shall be released after completion of such overtime until 10 consecutive hours off duty does occur without loss of pay for ordinary working time occurring during such absence.
- (b) If, on the instructions of the employer, an employee resumes or continues ordinary work without having had 10 consecutive hours off duty the employee shall be paid double rates until released from duty and shall then be entitled to be absent until 10 consecutive hours off duty has occurred without loss of pay for ordinary working time occurring during such absence.
- (c) An employee engaged by Agriculture within the Forestry stream who works so much overtime that at least 10 consecutive hours off duty has not occurred during the 15 hours immediately preceding the ordinary commencing time on a Monday or its equivalent will be released after the completion of such overtime until 10 consecutive hours off duty occur without loss of pay for ordinary working time occurring during such absence.
- (d) Clause 18.10(c) will not apply to an employee required to work overtime which commences within the period of 10 hours immediately preceding the ordinary commencing time on Monday or its equivalent and where the period of overtime worked is less than 5 hours.
- (e) An employee engaged by Agriculture within the Forestry stream who works so much overtime that 10 consecutive hours off duty have not occurred immediately prior to the commencement of the employee's rostered day off is entitled to have the rostered day off substituted for another day.

- (f) The substituted day referred to in clause 18.10(c) may be taken at a time mutually convenient to the employer and the employee.
- (g) The provisions of clause 18.10 shall apply to 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 purposes of changing shift rosters; or
  - (ii) when a shift worker does not report for duty; or
  - (iii) where a shift is worked by arrangement between the employees themselves.
- (h) Clause 18.10 does not apply to employees:
  - (i) who reside or remain on or about their place of work and are required to perform duties on an intermittent basis outside their ordinary hours of duty; or
  - (ii) who work less than 2 hours when recalled to duty inclusive of travelling time, on one or more recalls.
- (i) The provisions of clause 18.10 do not apply to employees covered by clause 18.9.

#### **18.11 Meal breaks on overtime**

All employees who work overtime are entitled to meal breaks and, where relevant, meal allowances as prescribed in clause 13.10.

## **PART 6 - Leave of Absence and Public Holidays**

### **19. Annual leave**

Annual leave is provided for in Division 3 of the QES. Clauses 19.1 to 19.3 supplement the QES.

*Note: Where a directive about annual leave covers an employee, including those employees captured under Schedule 8 of this Award, the directive applies to the extent that it provides a more generous entitlement.*

#### **19.1 Payment for annual leave**

- (a) An employee (other than a shift worker) proceeding on annual leave is entitled to receive the following payments:
  - (i) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave; and
  - (ii) a further amount equal to 17.5% of the salary payable for ordinary time in relation to the employee's substantive position for the period of such leave.
- (b) A non-continuous shift worker proceeding on annual leave is entitled to receive the following payment:
  - (i) an amount equal to the salary level 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 shift, weekend or public holiday penalties; or

- (ii) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave, plus a further amount equal to 17.5% of the salary payable for ordinary time in relation to the employee's substantive position for the period of such leave, excluding any shift, weekend or public holiday penalties,

whichever is the higher.

- (c) A continuous shift worker proceeding on annual leave is entitled to receive the following payment:

- (i) an amount equal to the salary level 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 shift, weekend or public holiday penalties; or
- (ii) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave, excluding any shift, weekend or public holiday penalties, plus a further 27.5% of this amount,

whichever is the higher.

## 19.2 Christmas/New Year closure

- (a) Where their employing department is compulsorily closed over the Christmas/New Year period, all affected employees shall have their annual leave entitlement debited (other than a **concessional day**) by the number of ordinary working days, or hours in the case of part-time employees, they would ordinarily have worked between Christmas Day and New Year's Day, inclusive.
- (b) For the purposes of clause 19.2(a), **concessional day** means any day upon which an employee is permitted to be absent on full pay without debit to any leave account as a result of a compulsory closure of Government establishments over the Christmas/New Year period or such closure or restricted staffing as the employer determines.
- (c) Notwithstanding the provisions of clause 19.2(a), an employer and an employee may agree that an employee may access any accrued rostered day/s off or TOIL during a compulsory Christmas closure period instead of having their annual leave entitlement debited.

## 19.3 Specific annual leave provisions applying to employees of DET

- (a) Employees of DET may be required to take annual leave during the school holidays with the exception of:
  - (i) agricultural assistants;
  - (ii) unit support officers; and
  - (iii) support officers (environmental education centres),

who may not take annual leave during school holidays unless directed to by the employer and such direction is reasonable in the circumstances.

- (b) Notwithstanding the provisions contained in clause 19.3(a), teacher aides (other than casuals) shall be entitled to 4 weeks' annual leave on the following basis:
  - (i) Annual leave will be taken by all employees during the student summer vacation with the annual leave to commence from the beginning of the first week of the 6 week period of the



student summer vacation or the beginning of the second week of the 7 week period of the student summer vacation whichever is allotted to the particular school in accordance with the *Education (General Provisions) Regulation 2006*.

- (ii) Annual leave shall be exclusive of any public holiday which occurs during the period of leave.
- (iii) Annual leave shall be paid by the employer in advance.
- (iv) Annual leave pay shall be calculated as follows:
  - (A) At the employee's ordinary salary level as prescribed in clause 12.3 for the period of annual leave calculated in accordance with the following formula:

$$T1 \text{ divided by } 20 \times 2.54$$

[Where T1 is the total of hours worked by the employee (including leave granted on pay and paid public holidays but excluding the annual leave and the 3 public holidays which occur during the period of the student summer vacation) since the date of commencement of employment or since the time of the previous annual leave, whichever is the latter, and rounded up to the nearest half hour.]

- (B) A further amount calculated at the rate of 17.5 % of the amount resulting from the calculation recorded in clause 19.3(b)(iv)(A).
  - (C) Where an employee is employed for a full year, an additional amount calculated at the rate of 15% of the amount resulting from the calculation recorded in clause 19.3(b)(iv)(A), representing the payment of the 3 public holidays which occur during the period of the annual leave.
  - (D) Where an employee is not employed for a full year, the employee shall receive payment for the ordinary hours that the employee was rostered to work on the days on which the 3 public holidays occur during the period of the student summer vacation.
- (v) If the services of the employee are concluded for any reason prior to the period determined for the annual leave pursuant to clause 19.3(b)(i), such employee shall be paid, in addition to all other amounts due, an amount calculated in accordance with clause 19.3(b)(iv). The ordinary hourly wage rate shall be that applicable at the time of the conclusion of the employee's services and the additional amount arising from clause 19.3(b)(iv)(C) will not be paid.

## 20. Personal leave

- (a) Personal leave is provided for in Division 4 of the QES and covers:
  - (i) sick leave;
  - (ii) carer's leave;
  - (iii) bereavement leave; and
  - (iv) cultural leave.
- (b) In addition to the provisions of Subdivision 2 of Division 4 of the QES an employee is entitled to use any sick leave to which they have an entitlement for carer's leave purposes.

- (c) An employee may also elect, with the consent of the employer, to take annual leave for carer's leave purposes.
- (d) An application for sick leave of more than 3 days is to be supported by a medical certificate or any other evidence that is acceptable to the employer.
- (e) In addition to, and notwithstanding the provisions contained in clauses 20(a) to (d), leave entitlements of teacher aides (other than casuals) employed by DET shall be calculated in accordance with the following formula:

$$T2 \text{ divided by } 30 \times 1.27$$

[Where T2 is the total of hours worked by the employee (including leave granted on pay and paid public holidays but excluding the annual leave and the 3 public holidays which occur during the period of the student summer vacation) since the date of commencement of employment or since the day of the last annual balance, whichever is the latter, and rounded up to the nearest half hour.]

*Note: Where a directive about sick leave or bereavement leave covers an employee, the provisions of the relevant directive apply to the employee to the extent it provides a more generous entitlement.*

## 21. Parental leave

- (a) Parental leave is provided for in Division 5 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) Notwithstanding the provisions of Subdivision 2 of Division 5 of the QES, all full-time and part-time employees are entitled to parental leave upon commencement of employment.
- (c)
  - (i) An employee who is pregnant, whether or not she has given her employer written notice of the date/s on which she proposes to start and/or end maternity leave, must:
    - (A) commence maternity leave at least 6 weeks prior to the expected date of birth of her child; and
    - (B) remain on maternity leave until at least 6 weeks after the birth of the child.
  - (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
    - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
    - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
  - (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
    - (A) the day specified in the medical certificate; or

- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
  - (C) the employee commences maternity leave; or
  - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of her pregnancy until 6 weeks before the expected date of birth of her child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
  - (e) An employee who has taken leave to attend compulsory interviews or examinations as part of an adoption process or who has taken leave to attend compulsory interviews or court hearings associated with a surrogacy arrangement may request that such leave be taken as paid annual leave.
  - (f) In addition to the provisions of Subdivision 6 of Division 5 of the QES an employee who has returned to work on a part-time basis may seek to return to the position they held prior to commencing parental leave.
  - (g) If the position mentioned in clause 21(f) no longer exists but there are other positions available that the employee is qualified for and is capable of performing, the employee is entitled to be employed in a position that is, as nearly as possible, comparable in status and remuneration to that of the employee's former position.
  - (h) The employer must make a position to which the employee is entitled available to the employee.
  - (i)
    - (i) An employee who is the parent of a child may apply, at any time, to their employer to work on a part-time basis in order to be the child's primary caregiver when not at work.
    - (ii) The requirements concerning the manner in which the employee may make an application to work part-time under clause 21(i)(i) are the same as those contained in the QES with respect to applications to return to work on a part-time basis for an employee on parental leave (i.e. s 71 GT).
    - (iii) The period in relation to which an application under clause 21(i) may be made cannot extend beyond the day the child is required to be enrolled for compulsory schooling under the *Education (General Provisions) Act 2006*.
    - (iv) The requirements concerning the manner by which the employer is to assess any application by an employee to work part-time are the same as those contained in the QES with respect to assessing applications to return to work on a part-time basis for an employee on parental leave (i.e. s 71GU).

*Note: Where a directive about paid parental leave covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

## **22. Long service leave**

- (a) Long service leave, including for casual employees, is provided for in Division 6 of the QES. Clause 22(b) supplements the QES.

- (b) In lieu of the provisions of section 71HB(2)(a) and (b) of the Act, all employees who complete 10 years' continuous service are entitled to long service leave at the rate of 1.3 weeks on full pay for each year of continuous service and a proportionate amount for an incomplete year of service.
- (c) The entitlement at clause 22(b) applies to employees of the Rabbit Board only in relation to service performed on and after the commencement of this Award.

*Note: Where a directive about long service leave covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

## **23. Public holidays**

Public holidays are provided for in Division 7 of the QES. Clauses 23.1 to 23.5 supplement the QES provisions.

### **23.1 Payment for public holidays and for work on a public holiday**

- (a) An employee (other than a casual employee) who would normally work on a day on which a public holiday falls and who:
  - (i) is not required to work on that day, shall be paid for the ordinary hours the employee would normally have worked if that day had not been a public holiday;
  - (ii) is required to work on the public holiday shall, in addition to the payment prescribed in clause 23.1(a)(i), be paid at the rate of time and one-half for any hours worked, with a minimum payment as for 4 hours' work for the day.
- (b) An employee (including a casual employee) who would normally work on a day on which a public holiday falls and who performs authorised overtime outside the employee's ordinary working hours for that day shall be paid for such time at double the overtime rate prescribed in clauses 18.2, 18.3 or 18.4, as the case may be.
- (c) An employee (including a casual employee) who would not normally be required to work on a public holiday but who is required to work on that day shall be paid at the rate of double time and one-half for any hours worked, with a minimum payment as for 4 hours' work for the day.
- (d) The minimum payment provided in clauses 23.1(a) or (c) shall not apply where the work performed on the public holiday is immediately preceding or following ordinary hours.
- (e) For shift workers, the payments described in clause 23.1 shall be calculated on a majority of shift basis (see the examples at clause 15.5(c)).

### **23.2 Equivalent time off**

- (a) Subject to clause 23.1, an employee who performs work on any public holiday, or any day appointed under the *Holidays Act 1983* to be kept in place of any such holiday, shall at the employee's option receive time off equivalent to the number of hours worked, with a minimum of 4 hours in lieu of monetary compensation.
- (b) Where an employee elects to take equivalent time off such employee shall in addition be paid at half the ordinary rate with a minimum as for 4 hours' work.
- (c) Such equivalent time off shall be taken within 12 months of the public holiday day on which the employee performed the work at a time to be mutually agreed with the employer.

- (d) Where such equivalent time off is not utilised within 12 months of the date of accrual, it shall be paid out at the rate of time and one-half.

### **23.3 Substitution**

- (a) Subject to statutory limitations (such as the time work may not be performed on Anzac Day) where there is agreement between the chief executive and an employee or employees, another ordinary working day may be substituted for a public holiday.
- (b) Where an employee is subsequently required to work on the substituted day they shall be paid at the rate prescribed in clause 23.1.

### **23.4 Employees who do not ordinarily work Monday to Friday of each week**

- (a) An employee (other than a casual employee) who does not ordinarily work Monday to Friday of each week is entitled to either payment for each public holiday or a substituted day's leave.
- (b) Where a public holiday would have fallen on a Saturday or a Sunday (e.g. Australia Day) but is substituted for another day, an employee (other than a casual employee) who would ordinarily have worked on such Saturday or Sunday but who is not rostered to work on such day is entitled to payment for the public holiday or a substituted day's leave.
- (c) Where Christmas Day falls on a Saturday or a Sunday and the public holiday is observed on another day, an employee required to work on Christmas Day (i.e. 25 December) is to be paid at the usual rate for work performed on a Saturday or Sunday, as the case may be, plus a loading of 50% of the ordinary hourly rate.
- (d) For the purpose of clause 23.4(a) **payment for each public holiday and a substituted day's leave** means:
  - (i) for full-time employees: 7.6 hours at ordinary rates; and
  - (ii) for part-time employees: the number of ordinary hours normally worked on the same day of the week on which the holiday falls.
- (e) Nothing in clause 23.4 confers a right to any employee to payment for a public holiday as well as a substituted day in lieu.

### **23.5 Rostered day off on a public holiday**

- (a) An employee (other than a casual employee) whose rostered day off falls on a public holiday shall be paid an additional day's wage or, by mutual agreement between the employer and the employee, be granted a day's holiday in lieu at a time to be mutually arranged, including by taking it in conjunction with annual leave.
- (b) For the purpose of clauses 23.5(a) **additional day's wage** and **a day's holiday in lieu** means:
  - (i) for full-time employees: 7.6 hours at ordinary rates; and
  - (ii) for part-time employees: the number of ordinary hours normally worked on the same day of the week on which the holiday falls.
- (c) Nothing in clause 23.5 confers a right to any employee to payment for a public holiday as well as a substituted day in lieu.

### **23.6 Employees employed on motor vessels owned and operated by the Fisheries Research Branch**

No additional payments shall be made to employees employed on motor vessels owned and operated by the Fisheries Research Branch, Agriculture for ordinary hours performed on public holidays, as compensation for working on such days is included in the salary rates prescribed for such employees in clause 12.3.

### **24. Jury service**

Jury service is provided for in Division 8 of the QES.

*Note: Where a directive about court attendance or jury service covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.*

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

### **25. Transfer and appointment expenses**

- (a) Eligible employees when appointed or when transferred (other than at their own request) from one centre to another may be paid for expenses incurred, including:
  - (i) the conveyancing of self, family and effects to the centre to which the employee is appointed or transferred;
  - (ii) board and lodging;
  - (iii) other items of expenditure related to taking up duty.
- (b) Nothing in clause 25(a) is to be taken to prevent a chief executive from exercising their discretion to pay all or part of the expenses of an employee who is transferred from one centre to another centre at their own request.

### **26. Travelling and relieving expenses**

- (a) An employee who is required to:
  - (i) travel on official duty; or
  - (ii) to take up duty away from the employee's usual place of work to relieve another employee; or
  - (iii) to perform special duty,is to be provided, where necessary as determined by the employer, with reasonable transport and accommodation and reimbursed actual and reasonable expenses for transport, accommodation, meals and incidental expenses necessarily incurred by the employee.
- (b) Where an employee is required to travel between their usual place of employment and a distant location, and they could not reasonably be expected to return to their place of residence overnight, the employee is to be paid travelling time at ordinary rates up to a maximum of 8 hours per day for time spent in travelling in excess of rostered ordinary hours.

## **27. Employees required to report to a depot**

- (a) Where an employer requires an employee to report to the usual depot and then travel to a job site located within 5 km of the depot, and the employee chooses to use their own vehicle to undertake such travel, the employee will not be paid the motor vehicle allowance prescribed in clause 13.9.
- (b) Where an employer requires an employee to report to the usual depot and then travel to a job site in excess of 5 km from the depot, the employer shall provide transport to the job site and return, or compensate the employee for the reasonable cost of travel. Where the employee uses their own vehicle, for the purpose of this clause, **reasonable cost** shall mean the payment of the amount prescribed by clause 13.9.
- (c) In the circumstances outlined in clauses 27(a) and (b), travelling between the depot and the job that occurs outside an employee's ordinary hours shall be paid for at the employee's ordinary hourly rate.

## **28. Employees required to report directly to the job site**

- (a) Where an employee is required to report directly to a job site any additional time taken to travel to the job site compared to travelling from the employee's home to the usual depot shall be paid for at the employee's ordinary hourly rate.
- (b) Employees who use their own motor vehicle to travel directly to a job site shall be paid the motor vehicle allowance prescribed in clause 13.9 for that part of the trip that exceeds the distance between the employee's normal place of residence and the usual depot.
- (c) Where an employee resides in a camp and is required to report directly to the job site using their own motor vehicle they shall be paid the motor vehicle allowance prescribed in clause 13.9 for that part of the trip that would otherwise exceed the regular distance between the employee's normal place of residence and the usual depot.
- (d) Where there is agreement between the employer and the majority of employees concerned different travelling arrangements may apply.

## **PART 8 - Training and Related Matters**

### **29. Training, learning and development**

- (a) The parties to this Award recognise that in order to increase efficiency and productivity a greater commitment to learning and development is required.
- (b) Accordingly, the parties commit themselves to developing a more highly skilled and flexible workforce and providing employees with career opportunities through appropriate training to acquire additional skills and knowledge for performance of their duties.
- (c) Within each agency, a consultative mechanism and procedures involving representatives of management, employees and ~~public sector~~ relevant unions shall be established as determined by the chief executive, having regard to the size, structure and needs of that agency.
- (d) Following consultation, the chief executive shall develop a learning and development strategy consistent with:
  - (i) the current and future needs of the agency;
  - (ii) the size, structure and nature of the operations of the agency; and

- (iii) the need to develop vocational skills relevant to the agency through courses conducted wherever possible by accredited educational institutions and providers.
- (e) Learning and development may be both on-the-job or off-the-job and either internal or external to the organisation.
- (f) Learning and development provided should assist employees in obtaining accredited competencies, knowledge and skills.
- (g) All such learning and development should be directed at enabling employees to enhance skills relevant to duties to be performed. Employees will be expected to attend scheduled learning and development activities.

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

### **30. Equipment, tools and amenities**

#### **30.1 Employees engaged by Agriculture within the Forestry stream**

- (a) A suitable tarpaulin or tent fly will be supplied and erected by the employer at a place convenient to the job wherein employees may rest or eat their midday meal or shelter from rain, so constructed as to prevent, as far as possible, rain from entering therein.
- (b) If employees are injured seriously or fall seriously ill at their work, the employer will provide means of getting them to the nearest hospital free of cost to the employee.
- (c) First-aid kits in suitable and secure cases will be provided at central positions on the works so as to be at all times readily available for the use of employees.
- (d) Suitable water containers will be supplied by the employer to each gang together with a sufficient quantity of fresh and uncontaminated drinking water for the use of employees.
- (e) Employees whilst fighting fire will be provided with water bottles which may be attached to the wearer's belt.
- (f) All vehicles under the control of the employer, while engaged in carrying employees for duties relevant to their work, will be equipped with adequate protection from all conditions of weather or the employer will supply and erect on the vehicle a suitable waterproof covering.
- (g) Where necessary the employer will provide helmets, goggles, masks and earmuffs and such items of equipment will be worn by the employees.
- (h) Employees pruning trees will be supplied with suitable protective gloves.
- (i) The employer will provide suitable rubber gloves for the use of employees employed on such duties as disposing of camp garbage, servicing camp sanitary, bathroom or lavatory accommodation, and cleaning gully traps.

#### **30.2 Employees engaged by the Rabbit Board**

- (a) The employer shall provide, at each hut in which an employee resides, a suitable first-aid outfit for use in case of accident.



- (b) When an employee is injured seriously or falls seriously ill at work, the employer shall provide means of getting them to the nearest hospital or pay expenses of transmission to the hospital.
- (c) All tools required shall be supplied by the employer to the employees, but the employees shall be liable for damage done to such tools either wilfully or by reason of negligence.

**30.3 Employees employed on motor vessels owned and operated by the Fisheries Research Branch**

- (a) Whilst at sea or when away from the home base overnight employees shall also be provided with proper meals and accommodation.
- (b) Employees shall be provided with bedding, soap, clean bed linen weekly and clean towels twice weekly. The employer shall be responsible for laundering of linen and towels.

**PART 10 - Union Related Matters**

**31. Union encouragement**

- (a) The parties recognise the right of individuals to join a union and will encourage that membership. However, it is also recognised that union membership remains at the discretion of individuals.
- (b) An application for union membership and information on the relevant union/s will be provided to all employees at the point of engagement.
- (c) Information on the relevant union/s will be included in induction materials.
- (d) Union representative/s will be provided with the opportunity to discuss union membership with new employees.

**32. Union delegates**

- (a) The parties acknowledge the constructive role democratically elected union delegates undertake in the workplace in relation to union activities that support and assist members. That role will be formally recognised, accepted and supported.
- (b) Employees will be given full access to union delegates/officials during working hours to discuss any employment matter or seek union advice, provided that service delivery is not disrupted and work requirements are not unduly affected.
- (c) Provided that service delivery and work requirements are not unduly affected, delegates will be provided convenient access to facilities for the purpose of undertaking union activities. Such facilities include: telephones, computers, e-mail, photocopiers, facsimile machines, storage facilities, meeting rooms and notice boards. It is expected that management and delegates will take a reasonable approach to the responsible use of such facilities for information and communication purposes.
- (d) Subject to the relevant employee's written approval and any confidentiality provisions, delegates may request access to documents and policies related to a member's employment.

**33. Industrial relations education leave**

- (a) Industrial relations education leave is paid time off to acquire knowledge and competencies in industrial relations. Such knowledge and competencies can allow employees to effectively

participate in consultative structures, perform a representative role and further the effective operation of grievance and dispute settlement procedures.

- (b) Employees may be granted up to 5 working days (or the equivalent hours) paid time off (non-cumulative) per calendar year, approved by the chief executive, to attend industrial relations education sessions.
- (c) Additional leave, over and above 5 working days non-cumulative (or the equivalent hours) in any one calendar year may be granted where approved structured employees' training courses involve more than 5 working days (or the equivalent). Such leave will be subject to consultation between the chief executive, the relevant union and the employee.
- (d) Upon request and subject to approval by the chief executive, employees may be granted paid time off in special circumstances to attend management committee meetings, union conferences, and Australian Council of Trade Unions (ACTU) Congress.
- (e) The granting of industrial relations education leave or any additional special leave should not impact adversely on service delivery, work requirements or the effectiveness and efficiency of the work unit concerned. At the same time, such leave shall not be unreasonably refused.
- (f) At the discretion of the chief executive, employees may be granted special leave without pay to undertake work with their union.

#### **34. 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 an employer carries on a calling of the officer's organisation, during the employer's business hours, to exercise a power under section 373 of the Act as long as the authorised industrial officer:
    - (A) has notified the employer or the employer's representative of the officer's presence; and
    - (B) produces their authorisation, if required by the employer or the employer's representative.
  - (ii) Clause 34(b)(i) does not apply if, on entering the workplace, the officer discovers that neither the employer nor the employer'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 34(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 366 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 employer 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 employer.
  - (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 employer 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 employer, 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 employer must not obstruct the authorised industrial officer exercising their right of entry powers.
  - (ii) An authorised industrial officer must not wilfully obstruct the employer, or an employee during the employee's working time.

*Note: Clause 34 - 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 sections 366, 372 and 373 of the Act as amended from time to time.*

## **Schedule 1 - Generic Level Statements - Administrative stream**

### **Administrative officer level 1 (AO1)**

Entry to this level is either by commencement of a traineeship or through selection based on standardised vocational testing.

#### **Work level description**

Work at this level usually involves a combination of keyboard, clerical and other duties requiring the application of basic office skills and routines.

#### **Characteristics of the work**

Performed under close direction using established routines, methods and procedures with little scope for deviating from these.

Problems can usually be solved by reference to procedures, well documented methods and instructions. Initially direct guidance is given when problems arise. Ready access to advice and assistance is available.

The work may involve giving technical and procedural advice to other staff (for example relating to the operation of office equipment used in the work area). It may require the acquisition of knowledge and specific procedures, instructions, regulations or other requirements relating to general administration (e.g. personnel or finance operations) and/or specific departmental programs and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

As individual employees develop more experience and knowledge they will be required to exercise greater judgement and make decisions in their allocated duties, although these will be confined by instructions, established practices and procedures of written guidelines.

#### **Duties and skills**

Work at this level may progressively involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

### **Administrative officer level 2 (AO2)**

The minimum skills required for entry to this level are as defined in the traineeship curriculum or through standardised vocational testing.

#### **Work level description**

Work at this level usually encompasses a range or combination of administrative activities and operations which require the application of skills and experience in administrative/clerical work and a general knowledge of the work to be performed.

The work will involve achieving clearly defined and established outcomes and/or basic problem solving within guidelines and contributing knowledge or skills or information specific to the work of the agency.

### **Characteristics of the work**

Work is usually performed under close supervision and may involve undertaking a range of duties requiring judgement, liaison and communication within an agency and with other interested parties.

The solution of problems may require the exercising of basic judgement, although knowledge required to perform work is usually related to precedents, guidelines, procedures, regulations and instructions and from senior staff. It may require some knowledge and application of specific procedures, instructions, regulations or other requirements relating to general administration and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

### **Duties and skills**

Knowledge required to perform work is usually related to guidelines, instructions and procedures relevant to the function of the level.

Familiarity with the functions of related work areas and of relationships between organisational elements may be required.

At this level, basic resolution of problems by reference to established procedures may be required.

Work at this level may involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

## **Administrative officer level 3 (AO3)**

### **Work level description**

Work at this level usually requires relevant experience combined with a broad knowledge of the agency's functions and activities and a sound knowledge of the major activity performed within the work area. The work may include preparing preliminary reports, papers and correspondence which usually relate to a specific organisational function or discipline, providing or interpreting information for clients or other interested parties and general administrative support to senior officers.

Supervisory responsibilities may involve some complex operational work and may involve assisting with, or reviewing the work undertaken by, subordinates or team members.

Scope exists for exercising initiative in the application of established work practices and procedures although this level may require expertise to resolve issues within a day-to-day environment for which there may not be clearly established procedures.

Effective judgement and work organisation skills are required which have been acquired through previous experience, demonstrated capacity or post secondary education or partial completion of same.

### **Characteristics of the work**

Work is usually performed under general direction and may involve preparing papers, briefing notes, correspondence or other written material.

Decisions made or delegations exercised at this level may have an impact on the relevant agency's operations, but are normally of limited procedural or administrative importance.

Work at this level may include responsibility for training, involvement in working with staff to develop work performance, planning and co-ordinating tasks and work flow.

### **Duties and skills**

Work at this level requires a sound knowledge of the activities usually performed within the work area and their impact upon the activities of other organisations.

Supervisory responsibilities include on-the-job training and staff assessment and performance counselling in relation to the work area. This level usually requires the application of personnel-related functions such as orientation of staff, staff attendance and recommendation of leave arrangements, written and verbal communication, interpretation and liaison skills to solve basic problems together with interpersonal skills to deal with non-routine matters and analytical abilities appropriate to the work area.

## **Administrative officer level 4 (AO4)**

### **Work level description**

Work at this level is usually performed in relation to established priorities, task methodology and work practices to achieve results in line with the corporate goals of the agency.

The work may include preparing papers and reports, drafting complex correspondence for senior officers, undertaking activities of a specialist or detailed nature, assisting in the preparation of procedural guidelines, providing, interpreting and analysing information for clients or other interested parties, exercising specific process responsibilities, and overseeing and co-ordinating the work of subordinate staff.

Work at this level includes supervision of a work group, small work area or office within the total organisational structure and co-ordination of a range of agency functions.

### **Characteristics of the work**

Work is performed under general direction as to work priorities and may be of a technical or professional, project, procedural or processing nature, or a combination of these.

Direction exercised over work performed at this level may be less direct than at lower levels and is usually related to task methodologies and work practices. Staff would be expected to set priorities and to monitor work flow in the area of responsibility.

The work at this level requires the application of knowledge usually gained through previous experience in the discipline or from post secondary or tertiary study. The work may require the co-ordination of a range of agency functions and the exercising of judgement and/or delegated authority in areas where precedents or procedures are not clearly defined.

Independent action may be exercised at this level, particularly in local office situations, for example, developing local procedures, management strategies and guidelines.

Any decisions taken or delegations exercised would be limited by the application of rules, regulations, guidelines or procedures.

The extent of supervisory responsibility would depend on the operational work of the area and factors such as work priorities, complexity of the work and the number of subordinate staff.

### **Duties and skills**

Work performed at this level will require the ability to supervise staff, set priorities, monitor work flow and develop local strategies or work practices.

This may include responsibility for the development of appropriate training programmes related to group development, application of equal employment opportunity, industrial relations principles and an awareness of occupational health and safety guidelines and principles. Staff assessment and counselling may involve providing advice in relation to personal and career development relating to work requirements.

Liaison and communication skills and the capacity to negotiate may be required, particularly for activities involving liaison or communication with clients or other interested groups.

Work at this level requires general knowledge of the agency's operations, combined with a specialist knowledge of major activities within the work area.

In program, activity or service delivery areas staff should have the knowledge to interpret and apply standard policies, specific procedures and regulations or other guideline material to specific situations. They should be able to disseminate information about an agency's operations particularly in relation to policy aspects or program, activity or service delivery to clients.

Work at this level may require the ability to investigate, interpret or evaluate information where legislation, regulations, instructions or procedural guidelines do not give adequate or specific answers.

### **Administrative officer level 5 (AO5)**

#### **Work level description**

Work at this level may include a variety of functions as follows:

- managing the operations of a discrete organisational element, program or activity; or
- the operations of an organisational element which is part of a larger office within the total organisational structure; or
- under limited direction in relation to priorities and work practices, providing administrative support to a particular program, activity or administrative function and consultancy service to external organisations; or
- providing subject matter expertise or policy advice across a range of programs or activities undertaken by the agency.

Work at this level may include the preparation of documentation for complex correspondence purposes and for decision by senior officers.

Responsibilities may include liaison and co-ordination within and across functions including agency representation and overseeing and co-ordinating the work of other staff assisting in this area.

Work at this level may include operation within a number of specialist or multi-disciplinary teams or independently.

### **Characteristics of the work**

Work is usually performed under limited direction as to work priorities and the detailed conduct of the task.

Direction exercised over work performance at this level includes, depending on the functional role required, the provision of advice, guidance and/or direction in relation to a project, detailed processing, and other work practices.

Independent action may be exercised within constraints set by senior management.

Any decision taken or delegation exercised tends to be governed by the application of rules, regulations or agency operating instructions or procedures. While such decisions may impact on agency operations and resources, they are usually limited to the specific work area involved.

Managerial responsibilities would usually depend on the specific activities undertaken. Staff at this level would be expected to set and achieve priorities, monitor work flow and/or manage staffing resources to meet objectives.

### **Duties and skills**

Work at this level requires a knowledge of agency operations and the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

Work at this level may require:

- the ability to investigate, analyse, interpret or evaluate information for the guidance of staff or clients, or undertake research in relation to technical matters;
- well developed liaison and communication skills and the ability to negotiate with clients or other interested parties, within parameters decided by senior management;
- significant managerial ability, including the ability to supervise staff, set priorities, monitor work flow, develop local strategies, procedures and work practices, and allocate resources.

This includes demonstrated personnel management skills, the ability to apply equal employment opportunity principles and procedures and industrial relations principles and occupational health and safety guidelines. Responsibility for the identification of training needs and the development of appropriate training programmes for the work unit may be undertaken at this level.

## **Administrative officer level 6 (AO6)**

### **Work level description**

Work at this level may involve providing advice including policy, administrative, or specialist; undertaking work related to the management or administration of a program or activity; service delivery or corporate support functions, including project work and work policy development; preparation or co-ordination of research papers, submissions on policy, technical, professional or program issues, or administrative matters.

Liaison with other elements of the organisation, other government agencies, local authorities or community organisations is usually a feature.

Work also includes the preparation, or overseeing the preparation, of correspondence and replies to Parliamentary Questions, Ministerial representations and other briefing material; and representing the



agency at meetings, conferences or seminars. Management of diverse occupational groups may be required of this level.

### **Characteristics of the work**

Work is undertaken at this level with limited direction as to work priorities and the detailed conduct of the task. The tasks undertaken may be of a complex or specific nature encompassing a major area of agency operations.

Direction exercised over work performed at this level may, depending on the function role required, be by way of providing general guidance and advice.

Work at this level may involve control and/or co-ordination of projects or programs within an agency in accordance with corporate goals, and requires the development, implementation and evaluation of agency activities.

Work at this level may involve independence of action including the use and allocation of resources within the constraints laid down by senior management.

Decisions taken or delegations exercised at this level may have major impact on the day-to-day operations of the work area. The impact of such decisions on agency operations is likely to be limited to a specific work area or function. Delegations exercised may, depending on the nature of the work required, involve making determinations, instigating another course of action, or reviewing previous decisions.

Managerial responsibilities may be an important function of the work at this level, but this can vary widely depending on factors such as work area, location, priorities, work load, operational deadlines and the availability of staff resources to assist.

Guidelines, rules, instructions or procedures for use by other staff and interested parties may be developed at this level.

### **Duties and skills**

Management skills and abilities necessary to undertake the allocation and monitoring of resources, the review of operations to determine their effectiveness and contribute to the development of policy initiatives or corporate strategies are usually required at this level. A knowledge of financial program management techniques related to the activity or corporate goal of the work area is usually required at this level, together with demonstrated personnel management skills and the ability to apply equal employment procedures and implement training and staff development.

Well developed liaison and communication skills and the ability to negotiate or communicate, under limited direction, on behalf of the agency with clients or other interested parties may be needed.

Work at this level requires a knowledge and awareness of agency operations, as related to government initiatives or policies.

The ability to apply or interpret legislation, regulations, instructions or other guideline material relating to the operations, policies or functions of the work area; and the capacity to undertake high level research, reviews or investigations including the preparation of reports and associated papers may also be required.

## **Administrative officer level 7 (AO7)**

### **Work level description**

Work at this level may involve control of an organisational element involved in the administration or co-ordination of a specific program, activity or corporate support function at either the section or branch head level, to achieve a result in line with the corporate goals of the agency.

The work may include developing policy and/or providing policy, financial, specific subject matter or administrative advice, including specialist advice or undertaking high level project work; developing, implementing and reviewing policy instructions and administrative or specialist procedures for the guidance of functional elements of the agency; initiating and formulating recommendations for agency programs; processing representations to the Minister, preparing replies to Parliamentary Questions, preparing briefing notes for senior level managers, assisting in the preparation of Cabinet Submissions and correspondence; liaising with other government bodies and community organisations including the preparation of public information on programs, activities or services; and representing the agency at meetings, conferences or seminars.

Work undertaken at this level may also be required to deal with a complex and diverse operating environment.

### **Characteristics of the work**

Work is undertaken at this level with broad direction usually from a senior level manager or comparable officer in relation to priorities and the detailed conduct of the task. The activities undertaken would be of a complex or specific nature encompassing a significant element of total agency operations.

Work at this level may involve, depending on the functional role, significant independence of action including the use or allocation of resources within the constraints or guidelines laid down by senior management.

Decisions taken at this level may, depending on the degree of autonomy of function and the degree of delegated authority, have significant impact on the day-to-day operations of a specific work area and may also have significant effects elsewhere within the agency.

Management responsibilities are usually a significant function at this level. The percentage of the total work taken up in management functions and the character of the direction given to subordinates would depend on the nature of the work area, location, workload factors, priorities and staff resources allocated.

The development of guidelines, rules, regulations, procedures or instructions for either staff or other interested parties may be co-ordinated at this level.

### **Duties and skills**

Management skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, manage staff and resources, formulate policy initiatives and develop corporate strategy proposals are usually required at this level. A knowledge of financial program management practices appropriate to the program or activity or corporate goal of the organisational element in which a position is located, are usually required at this level.

Work at this level requires the application of a high level of discipline, knowledge, a detailed knowledge of both government policies and procedures and an appreciation of their application in relation to agency operations. Staff at this level would be expected to have the ability to undertake personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and staff development and counselling within the functional area of responsibility.

Work may require the ability to interpret and provide advice on legislation, regulations, instructions or other guideline material relating to the policies, operations or functions of the work area; and the capacity to undertake specific or major research, investigations or reviews and prepare associated papers or reports.

Liaison and communication skills of a high order, including the capacity and ability to negotiate or communicate on behalf of the agency with clients or other interested groups, perhaps to finality, may be needed.

## **Administrative officer level 8 (AO8)**

### **Work level description**

Work at this level may involve responsibility for a major program or programs at statewide level and of critical importance to the agency, operating within broad policy guidelines, or be responsible for a service-wide function.

High levels of discipline, expertise and experience are required combining elements of planning, organising, directing and evaluating to determine goals and priorities within the framework of the corporate objectives of the agency or of other Agencies.

This level will require a capacity for original thinking, creativity, the exercise of significant levels of independent judgement, and the exercise of delegated authority as required.

The work may include providing specialist consultancy advice within or across agencies, developing policy and interpreting, reviewing and implementing policy instructions, setting objectives in the work area, processing representations to the Minister, overseeing responses to Parliamentary Questions, preparation of reports to government, preparing ministerial briefing notes and correspondence, liaising with other government bodies and community organisations, including the provision of public information on programs, activities or services; and representing the agency at meetings, conferences or seminars.

### **Characteristics of the Work**

Work is undertaken at this level, usually under the broad direction of a senior executive, with significant levels of independent judgement in keeping with the complex nature of work undertaken and the allocation of resources within the constraints or guidelines laid down by senior executives. Delegations exercised at this level may, depending on the functional role, involve being the final authority in the process of approving the expenditure of funds, undertaking specific action in line with the policy of the agency, or reviewing any previous action or decisions in the work area.

Management responsibilities are usually a significant function at this level, with management of a number of significant projects being involved both within and outside the agency.

The development of guidelines, rules, regulations, procedures or instructions for staff or other interested parties may be instigated at this level.

Work at this level may include analysis of organisational design and the formulation of strategic plans for staff and organisational development.

### **Duties and skills**

Management skills and the abilities necessary to determine resource allocations, manage staff and resources, formulate policy initiatives and develop corporate strategies are usually required at this level. A knowledge of financial program management practices and the evaluation of the results of program activities against stated objectives are normally required at this level.

Work at this level requires the application of a high level of discipline and knowledge including detailed knowledge of both government policies and procedures and their application in relation to agency operations. Staff at this level with managerial responsibilities would be required to oversee the implementation of personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and formulate policies and plans for staff and organisational development.

Liaison and communication skills to enable the effective resolution of complex organisational issues, including the capacity and ability to negotiate or communicate on behalf of the agency with clients or other interested groups, often to finality, may be required.

## **Schedule 2 - Generic Level Statements - Operational stream**

### **Operational officer level 1 (OO1)**

#### **Work level description**

Training, both on and off-the-job, is a dominant feature of this level.

#### **Characteristics of the work**

Work at this level is performed under close supervision and direction following standard routines, methods and procedures with little scope for deviation or the exercise of initiative or judgement in the selection of appropriate means to complete the work assignment. Limited responsibility exists for the final outcome.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Direct guidance is given when problems arise.

Positions at this level have no supervisory responsibility.

#### **Duties and skills**

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests. There is only limited scope for interpretation.

### **Operational officer level 2 (OO2)**

#### **Work level description**

Positions at this level involve the delivery of operational services whose work routines, methods, and procedures are clearly established and there is limited scope for deviation.

Training, both on and off the job, is often a dominant feature of this level.

#### **Characteristics of the work**

Work may initially be performed under close supervision by a more experienced officer, however, this supervision is expected to reduce as experience increases. Employees at this level may operate individually or as a member of a project team within a work group.

Limited discretion is available for the selection of the appropriate means of completing duties or tasks. Guidance is always available and work outcomes may be closely monitored.

Positions at this level may have limited supervisory responsibilities with more experienced staff assisting new staff by providing guidance and advice.

#### **Duties and skills**

Positions at this level may involve an employee in a range of activities including the performance of non-repetitive tasks governed by established procedures, specific guidelines and standardised instructions.

Duties may include field support or regulatory inspection activities and data collection and recording.

Appointees to this level undertake a range of functions requiring the practical application of acquired skills and knowledge.

Technical skills not requiring trade or equivalent qualifications are required in order to safely and effectively operate basic machinery to perform routine and standard functions, and organise duties across a working day to meet regular work load requirements.

### **Operational officer level 3 (OO3)**

#### **Work level description**

Appointment to this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

An understanding of the agency's functions coupled with detailed knowledge of the work units' operations, practices and procedures is necessary for competent performance.

#### **Characteristics of the work**

Employees at this level work under general direction and undertake a range of functions which may require the application of trade based skills and experience or the practical application of a high level of skills.

Employees at this level may operate individually or as a member of a project team within a work group.

Supervision of subordinate employees within a small discrete work group or function may be a feature of this level.

Assistance is usually available if required when problems occur, although problems are usually resolvable by reference to procedures, documented methods and instructions.

Whilst there is some scope for the exercising of initiative in the application of established work practices and procedures, problems can generally be solved by reference to documented methods and instructions.

#### **Duties and skills**

Work at this level requires a sound knowledge of the agency's functions and the requirements of the discipline.

A sound knowledge of the operating procedures is required.

Supervisory responsibilities may include co-ordination of work-flow processes, training of subordinate staff, responsibility of quality of output of the workgroup, staff assessment and performance counselling in relation to subordinates.

Knowledge and compliance with regulations, codes and specifications may be required.

Duties at this level may include application of trade based skills or equivalent involving field work, design/modification of equipment, research projects, support services and the collating and analysis of specimens or data.

### **Operational officer level 4 (OO4)**

#### **Work level description**

Work at this level requires specialised knowledge within the discipline.

Work is undertaken under limited direction as to work priorities and the detailed conduct of the task. Employees may be responsible for larger work groups or functions, field groups or district operations.

High levels of initiative in accomplishing objectives may be required to be exercised either on an individual basis or in a multi-disciplinary unit.

### **Characteristics of the work**

Work is performed either independently with guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the positions normal span of activity.

There is scope for the exercise of initiative in the application of established work practices and procedures.

### **Duties and skills**

Duties include the supervision of a work group or function, field group or regional operation, with responsibility for the standard of workmanship, completion of work assignments and allocation of resources.

Interpretation of guideline material and documented precedents and the application of judgment may be required in the determining of solutions to problems.

## **Operational officer level 5 (OO5)**

### **Work level description**

Work at this level requires specialised knowledge of complex though conventional methods and techniques.

High levels of autonomy and initiative may be required to be exhibited in accomplishing objectives and undertaking projects.

Management of large work groups may be a factor.

### **Characteristics of the work**

Employees at this level are subject to limited direction and may exercise managerial responsibility for a large and complex work program.

Usually only broad guidance and advice is provided as to operational requirements and deadlines to achieve end results in line with operating goals.

### **Duties and skills**

Duties may involve detailed planning, directing, co-ordinating or financial control within budget, material and workforce limitations established by management and the implementation of overall agency policies.

Managerial responsibility includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

## **Operational officer levels 6 and 7 (OO6 & OO7)**

### **Work level description**

Work at these levels require specialised knowledge and may be undertaken autonomously. These are managerial levels and may include responsibility for large and complex work groups.

### **Characteristics of the work**

Responsibilities at these levels will reflect the size and complexity of agency operations and will normally entail significant independence of action in the allocation of resources within constraints imposed by management.

Work is performed under limited direction with a significant degree of discretion permitted within the boundaries of broad guidelines to achieve organizational goals.

### **Duties and skills**

Duties at these levels reflect the independent operation of the employee and may involve significant allocation of resources.

Management of work units may include prioritising work, training staff, monitoring of work flow and setting of local strategic plans. Assessment and review of the standard of work of subordinate staff is also a requirement of these levels.

Work at these levels require a knowledge and awareness of agency operations as well as detailed knowledge of major activities of the work unit.

The requirement to interpret legislation, regulations and other guidance material relating to the operations and functions of the work area is necessary for adequate performance at these levels.



## Schedule 3 - Generic Level Statements - Employees engaged by Agriculture and Fisheries in the Forestry stream

### Section 1 - Definitions

In this Schedule:

**assessment** means the process of collecting evidence and making judgements on whether competency has been achieved to confirm that the individual can perform to the standard expected in the workplace, or as expressed in the relevant industry/enterprise competency standards contained in the relevant endorsed National Industry Training Package, or the learning outcomes of an accredited course.

**forestry worker** means an employee who is multi-skilled and competent in performing a range of routine tasks or functions under general supervision and who typically would not be required to possess technical or specialist skills or knowledge or a qualification with an outcome higher than AQF Level 3 for wage level 2. A forestry worker would typically span a new entrant in the forestry sector up to an experienced worker who builds on their levels of skill and knowledge over a 5 year period. Additionally, it would include an inexperienced plant operator i.e. with less than one year's cumulative experience.

**ganger** and/or **overseer** means a person who has been authorised by the employer to act, and take a leadership role on its behalf, in the management, supervision, implementation and application of a diverse range of projects and routine activities. Four levels of supervision are recognised (ganger, overseer grade 2, overseer grade 1 and principal overseer) depending and based on an increasing level of responsibility they are authorised to exercise.

Without limiting the meaning of its application, the **ganger** or **overseer** would typically be responsible for the following activities and functions:

- project management of a diverse variety of routine and complex projects and activities including management of human, financial and physical resources where appropriate;
- interaction with customers including problem solving where appropriate;
- ensuring on site compliance with a variety of statutes and employer policies, including Workplace Health and Safety requirements, Guidelines and Procedures and Local Laws;
- performance management including taking initial action over diminished work performance, and
- interaction with various levels of gangers and overseers and/or senior management.

A **ganger** will typically lead and supervise a small work team (generally less than 10 employees) on small projects or activities of a routine or cyclical nature where the work is clearly specified and well defined in its requirements.

**overseer - grade 2** will typically lead and supervise either a large work team (generally more than 10 employees) on small projects or activities of a routine or cyclical nature, or a small work team on projects or activities of a complex nature where the work is typically highly variable and intricate in nature, may not always be clearly specified and requires a high level of interpretation and therefore individual responsibility to meet requirements.

**overseer - grade 1** will typically co-ordinate and supervise ganger and overseer grade 2 activities on projects or activities of a complex nature where the work is typically highly variable and intricate in nature, may not always be clearly specified and requires a high level of interpretation, co-ordination and therefore individual responsibility to meet requirements.

**principal overseer** will typically manage and supervise a number of other gangers and overseers grades 2 and 1 on projects or activities of a complex nature and is generally responsible for the overall implementation of on-site activities.

The work is typically highly variable and intricate in nature, may not always be clearly specified and requires a high level of specialised skills and knowledge, interpretation and therefore individual responsibility to meet requirements.

Responsibilities at this level will reflect the size and complexity of agency operations and will normally entail significant input and interaction with senior staff into on-site policy development and implementation including the allocation of resources within constraints imposed by senior management.

**points** means the points assigned to an employee who successfully completes units or elements of competence within a qualification, non-accredited course or other accredited training that may lead to the issue of a Statement of Attainment, qualification or other form of recognition. The formula used may evolve over time but has a foundation where the value of points is determined through a consultative process involving the industrial parties typically in an enterprise bargaining or other similar industrial exercise.

The determination process will involve consideration of the complexity and effort required to achieve the competency where one point is equivalent to 10 hours of time nominally assigned from the unit/s or element/s of competence undertaken.

A minimum of 12 points (or 120 hours) of additional training must be completed before an employee can be assessed as having met the progression requirements for wage level 4 and an additional 12 points for progression to wage level 5 of this classification structure.

The points system is designed to identify and quantify different levels of multi-skilling and knowledge possessed by specialist forestry workers typically employed in wage levels 3, 4 and 5.

**recognition of prior learning (RPL)** means recognition of competence currently held, regardless of how, when or where the learning occurred. Under National Industry Training Package guidelines RPL is one of the pathways available to prove a person's competence. Competence can be determined through any combination of formal or informal training and education, work experience or general life experience. In order to grant RPL, the assessor must be confident that the candidate is currently competent against the industry or enterprise competency standards specified in the relevant endorsed National Industry Training Package or outcomes specified for accredited courses. This evidence may take a variety of forms and could include certification, references from past employers, testimonials from clients, work samples and/or practical assessment. The assessor must ensure that the evidence is authentic, valid, reliable, current and sufficient.

**registered training organisation** means an organisation recognised within the meaning of the *Further Education and Training Act 2014* or its successor that is registered to deliver training and issue qualifications.

**specialist forestry worker** means an employee other than a ganger or overseer, who is competent in performing a range of specialist tasks or functions under limited supervision over and above those normally performed by a forestry worker. A specialist forestry worker may typically be required to possess a variety of operator's tickets or licenses or other qualification/s including skills and competencies higher than an AQF Level 3 outcome which are relevant to their area of speciality. The employee would typically possess a high degree of technical knowledge and ability and be able to apply this technical knowledge and ability to their particular field/s of work and speciality.

**specialty fields** means, without limiting the application of this meaning, a specialist forestry worker who may be engaged on a number of specialist fields such as:

- plant operators using a variety of equipment with more than one year's experience;
- survey and site design;
- fire management at training level 2 and above;
- forest mensuration;
- operating geographical Global Positioning Systems (GPS);
- any other area of operation or function considered to carry a level of responsibility, skill or knowledge over and above a specialist forestry worker as defined at wage level 3 e.g. plant instructor, chainsaw instructor or safety rehabilitation officer.

**statement of attainment** means a certificate recognising that a person has one or more of the learning outcomes identified for a particular qualification or accredited course.

**supervision** within the classification structure relates to the ganger and overseer classification levels and the increasing value or worth the employee is to the employer in terms of the degree of autonomy, decision-making, problem-solving, application and responsibility of the employee as an individual or within a work team environment.

Four levels of supervision are recognised and are as follows:

**regular supervision** applies to a person who is a new entrant employee or who has limited experience and who:

- works under close direction using established routines, methods and procedures with little scope for deviating from these;
- is not required to provide more than basic judgement and application of basic problem solving skills; and
- usually operates within a work team with very limited autonomy.

Employees at this level of supervision would normally be remunerated at wage level 1.

**general supervision** applies to a person who:

- receives general instructions usually covering only the broader technical aspects of the work;
- may be subject to progress checks, but such checks are usually confined to ensuring that, in broad terms, satisfactory progress is being made;
- has their assignments and work reviewed on completion;
- although technically competent and well experienced, there may be occasions on which the person will receive more detailed instructions;
- usually operates within a work team but may have specified areas of autonomy to perform a range of allocated activities and functions.

Employees at this level of supervision would normally be remunerated at wage level 2.

**limited supervision** applies to a person who:

- receives only limited instructions normally confined to a clear statement of objectives;
- has their work measured in terms of the achievement of stated objectives;
- is fully competent and very experienced in a technical sense and requires little guidance in the performance of work;
- operates with autonomy either individually or within a work team; and
- leads or supervises a work team.

Employees at this level of supervision would normally be remunerated at wage levels 3 and 4.

**remote supervision** applies to a person who:

- demonstrates understanding of a broad knowledge base incorporating some theoretical concepts;
- develops and applies a number of strategic solutions to a range of unpredictable problems;
- identifies, analyses and evaluates information from a variety of sources;
- identifies and applies skill and knowledge to a wide variety of contexts with some depth in some areas;
- takes responsibility for own outputs in relation to specified human resource standards; and
- provides strategic "hands on" management direction or co-ordination for a number of other team leaders usually on site.

Employees at this level of supervision would normally be remunerated at wage levels 5 and 6.

**work team** means a group of employees who work as a crew, gang or team to plan and execute routine functions and maintenance tasks relevant to their employer's business. Work teams are generally autonomous of direct managerial supervision and perform their tasks in a way that maximises productivity and multi-skilling.

## **Section 2 - Classification criteria and supporting principles**

### **Classification process**

The employer shall determine an employee's classification relevant to a particular classification level in the Forestry stream through the following process:

- an analysis is to be undertaken to establish the requisite skills and responsibilities for each identified position, which may require a position description to be written for each position. Such an analysis shall be consistent with the occupational analysis and supporting competency registry, developed by workers in conjunction with various independent experts and the industrial parties, that underpins this classification structure.
- each position is classified by reference to the classification criteria in accordance with Section 3 of Schedule 3.
- employees are notified in writing of their appointment to a position and the classification level of that position.

### **Classification criteria**

Classification criteria as outlined in Section 3 of Schedule 3 are guidelines to determine the appropriate classification level and consist of:

- relativities for each classification level;
- isolated characteristics that should not be used to justify the classification of a position;
- indicative duties that represent where the majority of the employee's duties are located (i.e. it is not mandatory that an employee performs every duty in a classification level and where it is acknowledged that some duties are only relevant for certain sectors of the employer's business);
- indicative experience and/or qualifications; and
- indicative levels of responsibility.

### **Guide to classification**

The characteristics nominated above are the principal guide for classification to a particular classification level as they are designed to indicate the level of basic knowledge, comprehension of issues, procedures required, the level of autonomy, accountability, supervision or training involved with the position.

### **Characteristics of classification levels**

The characteristics of a classification level must be read as a whole to gain an understanding of the position and the performance requirement. Isolated characteristics should not be used to justify the classification of a position. The key issue to be analysed in properly classifying an employee is the level of initiative, responsibility/accountability, competency and generalist and/or specialist skills that an employee is required to exercise in performing the employee's work within the parameters of the characteristics of the position.

### **Attributes and skills for classification levels not exhaustive**

The attributes and skills for each classification level are indicative of those required for each classification level. They are by no means an exhaustive list of the skills, attributes, duties or tasks included in each position within each classification level and employees may be expected to carry out additional duties or tasks as requested, which require skills that are not listed. Additionally, individual position descriptions may be developed to supplement these broad attributes.

### **Employees deemed to have skills and/or qualifications**

Some typical duties/skills will appear at more than one classification level. This acknowledges that skill acquisition is based on a building process that commences from simply undertaking and/or performing a task through a range of supervising, co-ordinating and managing activities. Because of this, the classification or re-classification of a position needs to be done by reference to the specific characteristics of the classification level. As an example, because an employee may be utilising a set of skills comprehended at a higher classification level than that to which the employee has been appointed, the employee assumes the level of qualification, initiative, accountability and competence envisaged by the characteristics of the higher classification level irrespective of whether the employee holds formal qualifications specified for that higher classification level.

### **Skills required versus skills possessed**

Payment for skills required in a particular position and used on a regular basis and not skills/qualifications possessed is an acknowledgement that some employees are over-qualified for the position in which they will be engaged.

### **Employees' responsibilities**

All employees will be required, in addition to performing their own tasks, to carry out tasks and responsibilities of employees at lower classification levels. All employees are required to observe the relevant legislative requirements as applied to their position, (for example the interpretation of various statutes that may be outlined in the employer's policy and procedure manuals). The ability to provide excellent customer service, where the customer may be external or internal, underpins all classification levels.

### **Multi-skilling process**

Multi-skilling recognises employees working in non-traditional work areas and requires employees to perform duties and use skills that are not a part of their designated "core" trade or skills set. 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.

### **Re-classification**

In seeking upward re-classification, employees will be required to demonstrate that they meet the requirements of the specific skill level in accordance with the criteria outlined in this Award and that they are required to carry out the duties at that level.

In seeking re-classification an employee shall establish that they are engaged on duties and possess associated competencies outside their normal role and that those competencies are required to be used by the employer. It is acknowledged that some additional competencies may be required to be used on an infrequent basis and that recognition of the use of these competencies shall be managed through a consultative process involving the industrial parties typically in an enterprise bargaining or other similar initiative.

### Section 3 - Classification levels and Award relativities

#### Wage level 1 - entry level labourer (87.5% - 90%)

##### Indicative skills, knowledge, experience and/or qualifications

Although there is no mandatory qualification requirement for employees, the indicative level of skill and knowledge required would be commensurate with FPI20105 Certificate II in Forest Growing and Management.

An employee at this wage level would typically possess a very basic understanding and knowledge of policies, procedures statutes, etc.

An employee at this wage level will normally not possess any qualifications and would remain at the 87.5% nominal relativity level for a period of 3 months' cumulative service before progressing to the 90% nominal relativity level.

##### Indicative duties

Employees at this level perform a defined range of activities most of which may be routine and predictable including but not limited to the following fields:

- site establishment and maintenance;
- breeding and propagation;
- tree growing and maintenance;
- grading and testing;
- warehouse and distribution;
- machinery and equipment;
- load handling;
- safety & quality processes;
- administration and business;
- occupational health and safety procedures.

##### Indicative level of responsibility

Employees at this level would require regular supervision (as defined).

#### Wage level 2 - forestry worker (92.5% - 100%)

##### Indicative skills, knowledge, experience and/or qualifications

An employee at this wage level would typically be a new entrant to the forestry sector or a plant operator with less than one year's experience. All employees (except the inexperienced plant operator) would gain 5 years or more of industry experience within this wage level with a basic understanding and knowledge of policies, procedures statutes, etc.

Possession of, or skills reflecting, an AQF 3 qualification as required in FPI30111 Certificate III in Forest Growing and Management.

Progression throughout this wage level shall be based on the completion of cumulative periods of service as follows:

1 <sup>st</sup> year of service	92.5%
2 <sup>nd</sup> year of service	95%
3 <sup>rd</sup> and 4 <sup>th</sup> years of service	97.5%

5<sup>th</sup> year of service\* 100%

(\* Employees (other than plant operators) must provide evidence that their skills are equivalent to an AQF 3 qualification. Evidence would include assessment outcomes in the form of a qualification or statement of attainment issued by a Registered Training Organisation, RPL determinations or other methods or processes that the employer may develop consistent with human resource strategies.)

### **Indicative duties**

Duties performed shall be of a broad nature consistent with those of a forestry worker (as defined). Employees at this level perform a range of varied activities or knowledge application where there are clearly defined parameters.

Employees at this level undertake a variety of activities including but not limited to those fields associated with wage level 1 workers plus:

- operating plant and machinery;
- driving trucks;
- fire control;
- communications and relationships;
- planning and analysis.

### **Indicative level of responsibility**

Employees at this level would require regular supervision (as defined) typically for the first 2 years' experience and general supervision (as defined) thereafter.

**Wage level 3** - ganger, specialist forestry worker, experienced plant operator (105%)

### **Indicative skills, knowledge, experience and/or qualifications**

An employee at this wage level would typically have sound industry experience and knowledge of policies, procedures statutes, etc. required for a:

- ganger; or
- a specialist forestry worker with less than 12 points; or
- a plant operator with more than 12 months' experience.

The significant degree of differences between this wage level and wage level 4 and above would include:

- the level of supervision;
- the number of specialist fields recognised;
- the number of points achieved relevant to the wage level.
- possession of or skills reflecting an AQF 3 qualification and progression towards an AQF 4 typically as required by FPI40111 Certificate IV in Forest Operations or higher qualification or other similar qualification as amended from time to time relevant to the employer.
- possession of units of competence at AQF 3 or equivalent course of instruction in disciplines such as:
  - supervision; and/or
  - front line management; and/or
  - leadership.



Appointment to this level is in accordance with the employer's needs as determined by advertising from time to time.

**Indicative duties**

Activities performed shall be of a broad nature consistent with those of a ganger, specialist forestry worker, experienced plant operator (105%) and shall include but not be limited to:

- those fields associated with level 2 forestry workers plus:
  - harvesting operations;
  - training and assessment.

**Indicative level of responsibility**

Employees at this level would require limited supervision (as defined).

**Wage level 4 - overseer grade 2, specialist forestry worker (12 points) (110%)**

**Indicative skills, knowledge, experience and/or qualifications**

An employee at this wage level would typically have sound industry experience and knowledge of policies, procedures statutes, etc. required for a:

- overseer grade 2; or
- a specialist forestry worker with 12 points but less than 24 points.

The significant degree of differences between this wage level and wage level 5 and above would include:

- the level of supervision;
- the number of specialist fields recognised;
- the number of points achieved relevant to the wage level.
- possession of units of competence at AQF 3 or equivalent course of instruction in disciplines such as:
  - supervision; and/or
  - front line management; and/or
  - leadership.
- possession of or skills reflecting an AQF 3 qualification and progression towards an AQF 4 typically as required by FPI40111 Certificate IV in forest operations or higher qualification or other similar qualification as amended from time to time relevant to the employer.

Appointment to this level is in accordance with the employer's needs as determined by advertising from time to time.

**Indicative duties**

Duties performed shall be of a broad nature consistent with those of an overseer grade 2 or other specialist forestry worker including those activities required for a level 3 specialist forestry worker.

**Indicative level of responsibility**

Employees at this level would require limited supervision (as defined).

**Wage level 5** - overseer grade 1, specialist forestry worker (24 points) (115%)

**Indicative skills, knowledge, experience and/or qualifications**

An employee at this wage level would typically have sound industry experience and knowledge of policies, procedures statutes, etc. required for a:

- overseer - grade 1; or
- a specialist forestry worker with more than 24 points.

The significant degree of differences between this wage level and wage level 6 would be the overall level of responsibility.

Possession of or skills reflecting an AQF 4 qualification relevant to the employer.

Possession of units of competence at AQF 4 or equivalent in a qualification or course of instruction in disciplines such as:

- supervision; and/or
- front line management; and/or
- leadership.

Appointment to this level is in accordance with the employer's needs as determined by advertising from time to time.

**Indicative duties**

Duties performed shall be of a broad nature consistent with those of an overseer - grade 1 or other specialist forestry worker as outlined above.

**Indicative level of responsibility**

Employees at this level would require remote supervision as defined.

**Wage level 6** - principal overseer (130%)

Employees who have completed at least 2 years' service as an overseer grade 1 may make application to progress to this level by addressing the following criteria:

- demonstrated technical expertise in one or more areas of a discipline as shown by:
  - high level of accuracy and precision in undertaking procedures; and either
    - examples of modifications to standard procedure and practices and contributions to the development of new techniques and methodologies; or
    - technical contribution at a local level.
- possession of higher technical qualifications or developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.
- evidence of recognition by peers, industry or other client groups as shown by one or more of the following (activities used as evidence will vary with the discipline of the applicant):
  - original in-service presentations;

- published papers;
  - active involvement in conferences and seminars;
  - consultancies;
  - recognition as a resource person who collects, collates and imparts knowledge in a particular area;
  - preparation of significant internal reports.
- demonstrated levels of performance and innovation through:
    - a history of satisfactory performance; and
    - demonstrated high levels of efficiency and effectiveness; and
    - demonstrated high levels of efficiency and initiative.

### **Indicative skills, knowledge, experience and/or qualifications**

Possession of a relevant diploma or equivalent

Possession of units of competence/modules in a qualification or course of instruction in disciplines such as:

- supervision; and/or
- front line management; and/or
- leadership.

An employee at this wage level would typically have very extensive industry experience and a very broad and extensive knowledge of policies, procedures statutes, etc. as defined for a principal overseer.

### **Indicative duties**

Duties performed shall be of a broad nature consistent with those of a principal overseer.

### **Indicative level of responsibility**

Employees at this level would require remote supervision (as defined).

## **Schedule 4 - Generic Level Statements - Employees engaged in the Hospitality stream**

### **Introductory - 78%**

Introductory employees shall include the following classifications/callings or combination thereof:

#### **Employee grade 1**

##### **Indicative experience and/or qualifications**

The introductory wage level shall apply to a new employee who enters the industry and who has not demonstrated the competency requirements of wage level 1 below.

An employee at this wage level will remain at the wage level for up to 3 months while training is undertaken to allow the employee to progress to wage level 1.

##### **Indicative level of responsibility**

An employee at this wage level would require regular supervision as they are a new entrant or have limited experience and who:

- work under close direction using established routines, methods and procedures with little scope for deviating from these;
- are not required to provide more than basic judgement and application of basic problem solving skills; and
- usually operate within a work team with very limited authority.

### **Wage level 1 - 82%**

Wage level 1 employees shall include the following classifications/callings or combination thereof:

- Food and beverage attendant grade 1
- Kitchen attendant grade 1
- Kitchenhand
- Singlehand cook
- Hospitality services employee grade 1

##### **Indicative duties**

Wage level 1 shall mean an employee who is engaged in activities such as:

- setting, clearing and cleaning tables and areas of plates, glasses, ashtrays etc.;
- general cleaning duties within a kitchen, scullery or food preparation area, including the cleaning of cooking and general utensils and crockery used therein;
- assisting employees who are cooking or who are engaged on food and beverage activities not including service to customers;
- assembly and preparation of ingredients for cooking;
- handling, storing and distributing a variety of goods and hospitality products, including pantry items and linen;
- preparation of salad ingredients and/or distribution to a buffet bar, bistro or other food outlet;
- rubbish removal;
- laundry and/or linen duties which may include minor repairs to linen or clothing such as buttons, zips, seams and working with flat materials; and

- basic maintenance duties.

**Indicative experience and/or qualifications**

- Progression towards an AQF 2 qualification relevant to the employer.

**Indicative level of responsibility**

An employee at this wage level would require regular supervision as they have limited experience and who:

- work under close direction using established routines, methods and procedures with little scope for deviating from these;
- are not required to provide more than basic judgement and application of basic problem solving skills; and
- usually operate within a work team with very limited authority.

**Wage level 2 - 88%**

Wage level 2 employees shall include the following classification/callings or combination thereof:

- Food and beverage attendant grade 2
- Food and beverage attendant grade 2 & 3
- Kitchen attendant grade 2
- Hospitality services employee grade 2
- Cook - grade 1
- Storeperson grade 1

**Indicative duties**

Wage level 2 shall mean an employee who is engaged in activities such as:

- selling, supplying (not serving), dispensing or mixing of a range of alcoholic and non-alcoholic beverages, liquor store activities including the sale of specialised stock lines and/or takeaway liquor from a bottle shop or other liquor outlet consistent with the Liquor Act 1992 and/or employer policy;
- assisting in the cellar,
- receiving and storing general and perishable goods;
- receipt of monies;
- attending a snack bar, coffee shop or other food and beverage outlet including taking orders and/or serving food and beverages;
- taking reservations, greeting and seating guests;
- undertaking general waiting and butler duties including basic food and beverage services with LED records;
- cooking of breakfasts, snacks and other basic meals and food items requiring regular supervision and limited experience;
- specialised non-cooking duties associated with a kitchen or food preparation area;
- cleaning duties using specialised equipment and chemicals;
- undertaking routine repair work and maintenance not generally performed by a tradesperson;
- an employee engaged in activities such as internal promotions, and set ups for functions, basic merchandising for promotional activities, door and other minor security duties and ushering for shows; and
- assisting with the maintenance of dress standards and good order in the establishment.

### **Indicative experience and/or qualifications**

- Possession of an AQF 2 qualification or completion of a Traineeship at AQF 2 relevant to the employer.

### **Indicative level of responsibility**

An employee at this wage level would require general supervision and who:

- receives general instructions usually covering the broader technical aspects of the work; and
- are subject to progress checks, but such checks are usually confined to ensuring in broad terms, satisfactory progress is being made; and
- has their assignments and work reviewed on completion; and
- although technically competent and well experienced, there may be occasions on which the employee will receive more detailed instructions; and
- usually operates in a work team but may have specified areas of autonomy to perform a range of allocated activities and functions.

### **Wage level 3 - 92.4%**

Wage level 3 employees shall include the following classifications/callings or combination thereof:

- Food and beverage attendant grade 3
- Kitchen attendant grade 3
- Storeperson grade 2
- Hospitality services employee grade 3
- Cook - grade 2
- Handyperson
- Forklift driver

### **Indicative duties**

Wage level 3 shall mean an employee who is engaged in activities such as:

- supplying (not serving) dispensing or mixing of liquor including a range of sophisticated drinks;
- full control of a cellar or liquor store or outlet including the receipt, delivery and recording of goods within such areas;
- cooking a range of meals requiring general supervision including a la carte cooking, grill cooking, deep frying and other cooking activities assigned by a higher level employee including setting up of an on-site kitchen;
- receipt of monies and cash handling;
- receiving, storing and distributing goods including the operation of mechanical lifting devices such as forklifts; and
- timekeeping of staff, general security including security of keys and supervision of dress standard maintenance and good order in the establishment.

### **Indicative experience and/or qualifications**

- Possession of an AQF 2 qualification or completion of a traineeship at AQF 2 and progress towards an AQF 3 qualification relevant to the employer.

### **Indicative level of responsibility**

An employee at this wage level would require general supervision and who:

- receives general instructions usually covering the broader technical aspects of the work; and
- are subject to progress checks, but such checks are usually confined to ensuring in broad terms, satisfactory progress is being made; and
- has their assignments and work reviewed on completion; and
- although technically competent and well experienced, there may be occasions on which the employee will receive more detailed instructions; and
- usually operates in a work team but may have specified areas of autonomy to perform a range of allocated activities and functions.

#### **Wage level 4 - 100%**

Wage level 4 employees shall include the following classifications/callings or combination thereof:

- Food and beverage attendant grade 4
- Bread baker, butcher, cook, dry cleaner, pastrycook, tailor or other apprenticeship calling
- Commis chef
- Cook - grade 3
- Hospitality services employee grade 4

#### **Indicative duties**

Wage level 4 shall mean an employee who is engaged in activities such as:

- undertaking specialised waiting and butler duties in a fine dining room or restaurant e.g. bookings/cashier or maitre'd;
- maintaining and rotating stock and stock balancing;
- engaged in a variety of trade level activities such as cooking, baking, butchering, pastrycooking and/or setting up of an on-site kitchen; and
- planning, co-ordinating and implementing leisure activities for guests and patrons.

#### **Indicative experience and/or qualifications**

- Possession of an AQF 3 qualification or completion of an Apprenticeship or Traineeship at AQF 3 or equivalent (such as a City and Guilds qualification) or a qualification with an AQF level 3 outcome or who possesses a Recognition Certificate issued in accordance with the provisions of the *Vocational Education, Training and Employment Act 2000*.

#### **Indicative level of responsibility**

An employee at this wage level would require limited supervision and who:

- receives only limited instructions normally confined to a clear statement of objectives;
- has their work measured in terms of the achievement of stated objectives;
- is fully competent and very experienced in a technical sense and requires little guidance in the performance of work;
- operates with autonomy either individually or within a work team; and
- leads or supervises a work team.

#### **Wage level 5 - 110%**

Wage level 5 employees shall include the following classifications/callings or combination thereof:

- Cook - grade 4
- Demi chef
- Food and beverage supervisor
- Food and beverage attendant grade 6
- Hospitality services grade 5
- Relief duty supervisor

#### **Indicative duties**

Wage level 5 shall mean an employee who is engaged in activities such as:

- a designated duty supervisor who has the responsibility for general operations, including the maintenance of operational standards during the temporary absence of the regular or principal manager, including when the principal manager is rostered off during a particular shift;
- being solely responsible for supervision, training and co-ordination of food and/or beverage staff and/or other cooks or kitchen employees in a single kitchen establishment where no Wage Level 4 or above cooks are employed; and
- maintenance or service and operational standards, preparation of operational reports and staff rostering.

#### **Indicative experience and/or qualifications**

- Possession of an AQF 3 qualification or completion of an Apprenticeship or Traineeship at AQF 3 or equivalent (such as a City and Guilds qualification) or a qualification with an AQF Level 3 outcome or who possesses a Recognition Certificate issued in accordance with the provisions of the *Vocational Education, Training and Employment Act 2000* and has progress towards an AQF 4 qualification or higher relevant to the employer.

#### **Indicative level of responsibility**

An employee at this Wage Level would require remote supervision and who:

- demonstrates understanding of a broad knowledge base incorporating some theoretical concepts;
- applies solutions to a defined range of unpredictable problems;
- identifies, analyses and evaluates information from a variety of sources;
- identifies and applies skill and knowledge to a variety of contexts with some depth in some areas;
- takes responsibility for their own outputs in relation to a specified human resource standards; and
- provides "hands on" supervisory direction for a work team usually on site.

### **Wage level 6 - 115%**

Wage level 6 employees shall include the following classifications/calling or combination thereof:

- Cook grade 5 - head chef
- Chef de partie
- Duty supervisor

#### **Indicative duties**

Wage level 6 shall mean an employee who is engaged in activities such as:

- duties of a duty supervisor, who has the responsibility for administrative and accounting activities and responsibility for the maintenance of service and operational standards as required by a duty manager;



- an employee that has general and specialised duties including supervision or training of other kitchen staff, ordering and stock control;
- solely responsible for other cooks and other kitchen employees in the kitchens;
- an employee who has the responsibility for a safe or counting room, liaise with accounting staff and duty managers, solely responsible for takings and floats, ordering of coin, banking of takings (from all outlets), maintain and process payroll, dissection of wages, administration of superannuation, payroll tax and other payroll records, keep all records, change and maintain audit trails; and
- an employee who has responsibility for the full supervision of personnel and functions associated with the accounting and cash management functions, accurate reporting and submission of statutory terms, ensure all accounting taxation and administration functions are in compliance with legislative requirements.

**Indicative experience and/or qualifications**

- Possession of an AQF 4 qualification or higher relevant to the employer.

**Indicative level of responsibility**

An employee at this wage level would require remote supervision and who:

- demonstrates understanding of a broad knowledge base incorporating some theoretical concepts;
- applies solutions to a defined range of unpredictable problems;
- identifies, analyses and evaluates information from a variety of sources;
- identifies and applies skill and knowledge to a variety of contexts with some depth in some areas;
- takes responsibility for their own outputs in relation to specified human resource standards; and
- provides "hands on" supervisory direction for a work team usually on site.

## Schedule 5 - Supported Wage System

This Schedule defines the conditions which will apply to employees who because of the effects of a disability are eligible for a supported wage under the supported wage system.

**Definitions** - In this Schedule:

**approved assessor** means a person accredited by the management unit established by the Commonwealth under the supported wage system to perform assessments of an individual's productive capacity within the supported wage system

**assessment instrument** means the tool provided for under the supported wage system that records the assessment of the productive capacity of the person to be employed under the supported wage system

**disability support pension** means the Commonwealth pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991* (Cth), or any successor to that scheme

**relevant minimum wage** means the minimum wage prescribed in this Award for the class of work for which an employee is engaged

**supported wage system (sws)** means the Commonwealth Government system to promote employment for people who cannot work at full Award wages because of a disability, as documented in the Supported Wage System Handbook. The Handbook is available from the following website: [www.jobaccess.gov.au](http://www.jobaccess.gov.au)

**sws wage assessment agreement** means the document in the form required by the Department of Social Services that records the employee's productive capacity and agreed wage rate

### Eligibility criteria

- (a) Employees covered by this Schedule will be those who are unable to perform the range of duties to the competence level required within the class of work for which the employee is engaged under this Award, because of the effects of a disability on their productive capacity, and who meet the impairment criteria for receipt of a disability support pension.
- (b) This Schedule does not apply to any existing employee who has a claim against the employer which is subject to the provisions of the *Workers' Compensation and Rehabilitation Act 2003*.

### Supported wage rates

- (a) Employees to whom this Schedule applies will be paid the applicable percentage of the relevant minimum wage according to the following Table and Note:

Assessed capacity (see below)	Relevant minimum wage*
10%	10%
20%	20%
30%	30%
40%	40%
50%	50%
60%	60%
70%	70%
80%	80%
90%	90%

\*Note: The minimum amount payable to an employee receiving a supported wage must not be less than \$82 per week.

- (b) Where an employee's assessed capacity is 10%, the employee must receive a high degree of assistance and support.

### **Assessment of capacity**

- (a) For the purpose of establishing the percentage of the relevant minimum wage, the productive capacity of the employee will be assessed in accordance with the sws by an approved assessor, having consulted the employer and employee and, if the employee so desires, a union which the employee is eligible to join.
- (b) All assessments made under this Schedule must be documented in a sws wage assessment agreement, and retained by the employer as a time and wages record in accordance with the Act.

### **Review of assessment**

The assessment of the applicable percentage should be subject to annual or more frequent review on the basis of a reasonable request for such a review. The process of review must be in accordance with the procedures for assessing capacity under the sws.

### **Other terms and conditions of employment**

Where an assessment has been made, the applicable percentage will apply to the relevant minimum wage only. Employees covered by the provisions of this Schedule will be entitled to the same terms and conditions of employment as other workers covered by this Award on a *pro rata* basis.

### **Workplace adjustment**

If the employer wishes to employ a person under the provisions of this Schedule it must take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve re-design of job duties, working time arrangements and work organisation.

### **Trial period**

- (a) In order for an adequate assessment of the employee's capacity to be made, the employer may employ a person under the provisions of this Schedule for a trial period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding four weeks) may be needed.
- (b) During that trial period the assessment of capacity will be undertaken and the percentage of the relevant minimum wage for a continuing employment relationship will be determined.
- (c) The minimum amount payable to the employee during the trial period must be no less than the amount recorded in the Note under the Table (above).
- (d) Work trials should include induction or training as appropriate to the job being trialled.
- (e) Where the employer and employee wish to establish a continuing employment relationship following the completion of the trial period, a further contract of employment will be entered into based on the outcome of assessment (see **Assessment of capacity** - above).

## Schedule 6 - Cleaners employed by State Government Departments and Agencies

Cleaners who were employed by departments and agencies of the State of Queensland as at 12 November 1993 (a qualified cleaner) continue to retain entitlement to an all purpose broken work allowance (BWA) and an all purpose non-absorbable, non-adjustable allowance (NANA). These entitlements continue to exist while such cleaners:

- (a) Remain in employment with the State of Queensland; and
- (b) Continue to work as a cleaner on a permanent, part-time or casual basis.

A qualified cleaner's entitlement to NANA depends upon the nature of their employment as at 12 November 1993 as well as their period of employment as at that date. There are two separate NANA entitlements, as follows:

- (a) **Group 1 - all full-time, casual and part-time cleaners (other than those part-time cleaners working a 30 hour week) as at 12 November 1993**

Date of commencement	NANA <sup>1</sup> Per Fortnight (of 76 hours) <sup>2</sup> \$
between 12 November 1991 and 11 November 1993	31.24
between 12 November 1990 and 11 November 1991	41.37
on or before 11 November 1990	51.76

- (b) **Group 2 - part-time cleaners working a 30 hour week as at 12 November 1993**

Date of commencement	NANA <sup>1</sup> Per Fortnight (of 60 hours) <sup>2</sup> \$
between 12 November 1991 and 11 November 1993	16.24
between 12 November 1990 and 11 November 1991	24.24
on or before 11 November 1990	32.44

The entitlement of a qualified cleaner to BWA, NANA or both allowances, as well as their classification level, is set out in the table below:

Type of cleaner as at 12 November 1993	Classification	BWA Per Day <sup>1</sup> \$	NANA <sup>1</sup> Entitlement <sup>2</sup> \$
(a) 38 hour a week cleaner required to attend work once per day	002(4)	-	as per Group 1 (above)
(b) 38 hour a week cleaner required to attend work twice per day	002(4)	as per clause 13.2	as per Group 1 (above)
(c) Part-time cleaner working 30 hours per week required to attend work once per day	002(4)	-	as per Group 2 (above)
(d) Part-time cleaner working 30 hours per week required to attend work twice per day	002(4)	as per clause 13.2	as per Group 2 (above)
(e) Part-time cleaner working other than 30 hours per week required to attend work once per day	002(4)	-	as per Group 1 (above) paid on a <i>pro rata</i> basis (reflecting the number of hours worked ÷ 76)

Type of cleaner as at 12 November 1993	Classification	BWA Per Day <sup>1</sup> \$	NANA <sup>1</sup> Entitlement <sup>2</sup> \$
(f) Part-time cleaner working other than 30 hours per week required to attend work twice per day	002(4)	as per clause 13.2	as per Group 1 (above) paid on a <i>pro rata</i> basis (reflecting the number of hours worked ÷ 76)
(g) Casual cleaner required to attend work once per day	002(4)	-	as per Group 1 (above) paid on a <i>pro rata</i> basis (reflecting the number of hours worked ÷ 76)
(h) Casual cleaner required to attend work twice a day	002(4)	as per clause 13.2	as per Group 1 (above) paid on a <i>pro rata</i> basis (reflecting the number of hours worked ÷ 76)

Notes:

- <sup>1</sup> The BWA and NANA amounts shown are payable for all purposes of the Award, including: overtime, shift penalties, weekend work, work on public holidays, annual leave, annual leave loading and long service leave.
- <sup>2</sup> The NANA is a non-adjustable allowance.

## **Schedule 7 - List of Cultural Centres**

- Queensland Art Gallery (including the Gallery of Modern Art)
- Queensland Museum
- State Library of Queensland
- The following business units of the Arts Queensland Division of the Department of Premier and Cabinet -
  - Judith Wright Centre of Contemporary Arts
  - The Centre of Contemporary Arts Cairns

## Schedule 8 - Directives which apply as a term of this Award

The terms and conditions of employment of the directives specified in the table below shall apply to the classifications of employees in the departments, classifications, groups or areas listed, until 18 September 2017 after which, where a directive about the matters contained in column 2 covers an employee, the provisions of the directive will continue to apply to the employee.

Department, classification, group or area	Directive or part of directive about
<p>(a) <b>Department of Agriculture and Fisheries:</b></p> <ul style="list-style-type: none"> <li>○ Employees employed on motor vessels owned and operated by the Fisheries Research Branch</li>   <li>○ Farm supervisors</li>   <li>○ Dingo barrier fence personnel Assistant operations officer, senior operations officer and project officer - barrier fences</li>   <li>○ Employees engaged in the Forestry stream</li> </ul>	<ul style="list-style-type: none"> <li>• Locality allowance (excluding casuals)</li> <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> <li>• Annual leave (excluding casuals)</li> <li>• Leave for study and examination purposes (excluding casuals)</li>   <li>• Field staff, to the extent the directive provides for time off in lieu of overtime arrangements</li>   <li>• Locality allowance (excluding casuals)</li> <li>• Recreation leave (excluding casuals)</li>   <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> </ul>
<p>(b) <b>Various Departments (including Department of Agriculture and Fisheries):</b></p> <ul style="list-style-type: none"> <li>○ Gardeners</li> </ul>	<ul style="list-style-type: none"> <li>• Recreation leave (excluding casuals)</li> <li>• Leave for study and examination purposes (excluding casuals)</li> <li>• Locality allowance (excluding casuals)</li> </ul>
<p>(c) <b>Various Departments:</b></p> <ul style="list-style-type: none"> <li>○ Storepersons</li> </ul>	<ul style="list-style-type: none"> <li>• Locality allowance (excluding casuals)</li> <li>• Recreation leave (excluding casuals)</li> <li>• Leave for study and examination purposes (excluding casuals)</li> <li>• Overtime meal allowance, provided that in lieu of the qualifying period therein for work performed before or after ordinary starting and ceasing time, the following shall apply: <ul style="list-style-type: none"> <li>○ after 2 hours where such overtime commences before 1800;</li> <li>○ after one hour where such overtime commences at or after 1800.</li> </ul> </li> </ul>
<p>(d) <b>Department of Transport and Main Roads:</b></p> <ul style="list-style-type: none"> <li>○ Cost clerks and timekeepers</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> <li>• Transfer expenses</li> </ul>

Department, classification, group or area	Directive or part of directive about
<ul style="list-style-type: none"> <li>○ Operation support officers</li> <li>○ Operations officers</li> <li>○ Store managers and storepersons</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer expenses</li> <li>• Overtime meal allowance</li> <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> <li>• Overtime meal allowance</li> <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> <li>• Locality allowance (excluding casuals)</li> </ul>
<p>(e) <b>Department of Aboriginal and Torres Strait Islander Partnerships:</b></p> <ul style="list-style-type: none"> <li>○ Employees engaged in retail stores in Indigenous communities: assistant store managers and store managers</li> <li>○ Employees engaged in retail stores in Indigenous communities: store managers only</li> </ul>	<ul style="list-style-type: none"> <li>• Leave and travel concessions - isolated centres</li> <li>• Recreation leave (excluding casuals)</li> <li>• Transfer and appointment expenses</li> <li>• Domestic travelling and relieving expenses</li> <li>• International travelling, relieving and living expenses</li> </ul>
<p>(f) <b>Department of Justice and Attorney-General:</b></p> <ul style="list-style-type: none"> <li>○ Centre managers and relief centre managers - outlook services</li> </ul>	<ul style="list-style-type: none"> <li>• Recreation leave (excluding casuals)</li> </ul>

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