

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1999*

**RETAIL INDUSTRY AWARD - STATE 2004**

**(Gazette, 22 October 2004)**

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

1. By deleting clause 5.2.1 and inserting the following in lieu thereof:

5.2.1 The minimum rates of wages to be paid to the undermentioned classes of employees shall be as follows:

(a) Shop assistants	Award rate per week
Classification and relativity	\$
Shop Assistant (92.14%) Shop Assistant Floorlaying employee	627.20
First Level supervisor (94.5%) Section head Floorlaying hand	637.10
Second Level supervisor/shop manager (100%) Department manager Manager - 2 or less employees Manager - over 2 employees	662.00
(b) Ancillary employees	
Classification 4 (88%) Day cleaner Lift attendant Watchperson/gatekeeper All adult employees under Motoring Services Award - South-Eastern District 2003	609.90
Classification 3 (92.14%) Cashier/waiting staff Counter/kitchen assistant and all others All photographic employees Cleaner with additional duties Watchperson/gatekeeper with additional duties	627.20
Classification 2 (94.5%) Cook	637.10
Classification 1 (100%) Qualified cook	662.00
(c) Clerks - The following rates shall apply to the undermentioned classifications in the Southern Division (Eastern District):	

Classification Level and relativity (Note)	Adult service increment within Level	Total minimum rate of pay \$
Level 1		
88%	1st year of service	609.90
90%	2nd year of service	618.30
92%	3rd year of service	626.60
94%	4th year of service	635.00
Level 2		
96%	1st year of service	643.30
98%	2nd year of service	651.70
100%	3rd year of service	662.00
Level 3		
107%	1st year of service	691.20
110%	2nd year of service	703.70
Level 4		
112%	1st year of service	710.10
115%	2nd year of service	722.60
Level 5		
122%	1st year of service	751.80
125%	2nd year of service	764.30

Note: The percentage relativities column relates to the percentages applying before the application of the first, second and third arbitrated safety net adjustments. The percentage relativities are based on a base rate and supplementary payment totalling \$417.20 per week.

See also clause 5.3.16 for supervisory allowances.

2. By deleting clause 5.2.4 and inserting the following in lieu thereof:

5.2.4 (a) *Employees engaged in demonstration, sale, hire, or rental of television receivers*

The minimum rates of wages payable to employees engaged in the demonstration and/or sale and/or hire and/or rental of television receivers and/or parts shall be as follows:

	Rate per week \$	* Absorbable minimum rates adjustment per week \$	Rate per week \$
Weekly employees	579.30	14.10	593.40

(\* Includes First and Second Minimum Rates Adjustments.)

Weekly employees engaged in the demonstration and/or sale and/or hire and/or rental of television receivers and/or parts in the homes of prospective clients shall be paid \$5.20 per week in addition to the above rates.

Casual employees engaged in the demonstration and/or sale and/or hire and/or rental of television receivers and/or parts in the homes of prospective clients shall be paid \$1.26 per day in addition to the above rates.

Any expenses incurred in the discharge of the employee's duty shall be paid for by the employer in addition to the above rates.

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

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

3. By deleting clause 9.2.6(a) to (d) and inserting the following in lieu thereof:

9.2.6 (a) Traineeships Level 1 and Level 2

The wages payable to Trainees shall be based on the full-time rates provided below. These rates shall apply to Trainees who are undertaking a course of instruction that will lead to an AQF(2) outcome.

School Leaver	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
	199.00(50%)*	248.00(33%)*	
	233.00(33%)	281.00(25%)	325.00
plus 1 year out of school	281.00	325.00	374.00
plus 2 years out of school	325.00	374.00	448.00
plus 3 years out of school	374.00	440.00	503.00
plus 4 years out of school	440.00	503.00	
5 years or more out of school	503.00		

Note: These rates are currently based on the rates provided within the Training Wage Award - State 2003 for Skill Level B. It is intended that parity with that Award be retained until such time as an alternate wage base is developed which may include the recognition of wage progression based on the achievement of competencies. Definitions with respect to "Years out of school", shall be deemed to be consistent with the arrangements within the Training Wage Award - State 2003.

(b) Traineeships Level 3

The wage payable to trainees shall be based on the full-time rates below. These rates shall apply to Trainees who are undertaking a course of instruction that will lead to an AQF(3) outcome.

School Leaver	Highest Year of Schooling Completed		
	Year 10 \$	Year 11 \$	Year 12 \$
	199.00(50%)*	248.00(33%)*	
	233.00(33%)	281.00(25%)	335.00
plus 1 year out of school	278.00	335.00	389.00
plus 2 years out of school	335.00	389.00	454.00
plus 3 years out of school	389.00	454.00	521.00
plus 4 years out of school	454.00	521.00	
5 years or more out of school	521.00		

Note: These rates are currently based on the rates provided within the Training Wage Award - State 2003 for Skill Level A. It is intended that parity with that award be retained until such time as an alternate wage base is developed which may include the recognition of wage progression based on the achievement of competencies. Definitions with respect to "Years out of school", shall be deemed to be consistent with the arrangements within the Training Wage Award - State 2003.

(c) Advanced Traineeships Levels 4 and 5

The expected outcome of successfully completing either the Advanced Traineeship Levels 4 or 5 is that the trainees will progress to the levels of First Level Supervisor or Second Level Supervisor respectively.

The progression points and pay rates for Trainees undertaking Traineeships at Level 4 and Level 5 levels shall be based on the full-time senior rates and will progress as indicated in the table as follows:

Progression Points and Pay Rates

Traineeship Level 4 Commencing at AQF 3 Level	Traineeship Level 5 Commencing at First Level Supervisor
\$627.20	\$637.10

Those Trainees who successfully complete the Approved Training Scheme shall receive the appropriate junior or adult rate of pay under the award or remain on the pay level prescribed within this clause whichever is the higher until a subsequent increment becomes due.

## (d) Part-time trainees

- (i) Payments for part-time Trainees shall be based on an hourly rate in accordance with the provisions of clause 9.2.6(a). The Award shall form the basis of wage calculation in respect of annual leave, overtime, sick leave and public holidays and shall apply on a *pro rata* basis.
- (ii) The hourly rate for a full-time Trainee shall form the basis for wage calculations for part-time Trainees.

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

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

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

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	\$	\$
5.3.1	10.70	11.00
	28.45c	29.15c
5.3.2	16.80	17.20
5.3.3	13.00	13.30
	2.60	2.66
5.3.7	63.25c	64.85c
	1.2650	1.2970
	3.18	3.26
5.3.8	6.90	7.10
5.3.9	19.50	20.00
	58.75c	60.2c
	5.90	6.00
5.3.10	45.7c	46.85c
	(where appearing)	
5.3.11	44c	45c
	7.50	7.70
5.3.12	23.30	23.90
5.3.13	19.50	20.00
	58.75c	60.2c
	5.90	6.00
5.3.15(a)	38c	39c
5.3.15(b)	38c	39c
5.3.16	7.20	7.40
	10.70	11.00
	14.20	14.60

Dated 1 October 2009.

G.D. SAVILL,  
Registrar.