

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999

SHEARING INDUSTRY AWARD - STATE 2003

(Gazette, 21 November 2003)

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 clauses 5.1.1 to 5.1.9 inclusive and inserting the following in lieu thereof:

5.1.1 *Rates for shearing*

The minimum rates for shearing to be paid to employees shall be as follows:

(a) If rations "not found":

For flock sheep (wethers, ewes, lambs) \$227.93 per 100.

For Rams (other than special stud Rams) and for Ram Stags, double that rate for flock sheep (\$455.86).

For Stud Ewes and their lambs (other than special studs) one and 1/4 times the rate for flock sheep (\$284.91).

For Double Fleeced sheep, one and 1/3rd times the rate for flock sheep (\$303.91).

For special studs as specially agreed, but so that if the engagement be per day the rate shall not be less than 75% of the rate for flock sheep (\$170.95) per day, with Cook and rations and shearing requisites found.

The employer shall charge the employee at not more than cost price, with carriage only added for all combs, cutters and shears supplied by the employer.

(b) If rations "found":

The rates abovementioned less \$20.93 per day.

(c) Except that where work continues beyond the normal lunch break on the day of a cut-out payment shall be made for 4 runs.

5.1.2 *Rates for crutching*

(a) Piecework rates - if "not found":

	Per 100 at Sheds (including experting and grinding allowance) \$	Per 100 at Sheds (excluding experting and grinding allowance) \$	Per 100 other than at Sheds (including experting and grinding allowance) \$	Per 100 other than at Sheds (excluding experting and grinding allowance) \$
(i) Full crutching (as defined)	65.37	63.78	56.36	54.98
(ii) All other crutching	51.85	50.58	45.09	43.99
(iii) For wiggling or ringing	24.80	24.19	24.80	24.19
(iv) For either wiggling or ringing in addition to crutching	6.76	6.60	6.76	6.60
(v) For wiggling and ringing and polling	50.95	49.70	50.95	49.70
(vi) For wiggling and ringing	40.58	39.59	40.58	39.59
(vii) For wiggling and ringing in addition to crutching - crutching rate plus	11.27	11.00	11.27	11.00
(viii) For cleaning the belly of any ewe above the teats (not more than 2 blows of the handpiece or shears) - crutching rate plus	5.64	5.50	5.64	5.50

Per day - If "not found":

- (b) If the engagement be per day - \$173.08 per day

Per day - If "found":

- (c) The rates prescribed above less \$20.93 per day

5.1.3 Rates for shed hands

- (a) The minimum rates for adult shed hands and generally useful employees (with 65 days or more experience) at the shearing or crutching, to be paid to employees shall be as follows:

Classification	Total Rate Per Run
	\$
Adults	
- With 65 days or more experience as a shed hand	41.49
- With less than 65 days experience as a shed hand	39.97
Juniors	
(i) 18-20 years (90%)	
- With 65 days or more experience as a shed hand	37.34
- With less than 65 days experience as a shed hand	35.97
(ii) Under 18 years (70%)	
- With 65 days or more experience as a shed hand	29.04
- With less than 65 days experience as a shed hand	27.98

- (b) Shed hands shall be paid by the run provided that:

- (i) A minimum payment for 2 runs shall be made on any one day on which the employee attends for duty, except on the day of a cut-out where the minimum payment shall be as for 4 runs;
- (ii) Further, if sheep are voted wet at the commencement of the 3rd or 4th run, then they shall be paid for all completed runs on that day together with the run due to commence or partly completed at the time the sheep are voted wet;
- (iii) The minimum payment of 2 runs per day prescribed herein shall not apply where an employee is not required to attend for work because of wet weather, provided that the employee is advised on each preceding day that attendance will not be required, or if advised by the employer of a starting time more than 24 hours hence.

- (c) Not more than one junior shall be employed at junior rates to every 3 adult shed hands:

Provided that in small sheds the employer may be permitted to employ one junior conditionally on an adult shed hand being also employed:

Provided further, that in sheds where 2 or less shearers are employed it shall be permissible for a junior doing shed hand's work to be employed without an adult shed hand also being employed.

5.1.4 Rates for wool pressing

The minimum rates for pressing greasy wool to be paid to employees shall be as follows:

- (a) *Piecework*

If rations "not found":

	Total rate per bale	Total rate per kg
	\$	c
(i) Pressing by hand	16.67	10.9383
(ii) Pressing by power	11.10	7.2922

The weights mentioned are the net weight of the wool.

For weighing and branding bales, 30c per bale additional.

The rates for stacking shall be by mutual arrangement.

Where scales are available all piecework wages for wool pressing shall be determined by the net weight of the wool:

Provided that if the total sum which the wool presser would receive under these rates amounts to less than \$56.24 per run multiplied by the number of runs that a time work employee would have been paid for, the employer shall pay the deficiency to the employee.

(b) *Time work*

The minimum rate to be paid to wool pressers shall be a weekly rate of ("not found") at a per run rate as follows:

Total rate (per run)	\$56.24
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Provided that where a wool presser engaged at time work rates would have earned more at a particular shearing than the minimum calculation (by multiplying the per run rate by the number of runs the employee would have been paid for) if the employee had been engaged at piecework rates, then the employee shall be paid off at the piecework rates pursuant to clauses 5.1.4(a)(i) and (ii) respectively.

(c) *If rations "found"*

The rates abovementioned less \$20.93 per day.

(d) *Additional penning-up duties*

Where a wool presser is required to undertake penning-up duties in addition to wool pressing, such employee shall be entitled to the additional payment of \$6.98 for every 100 sheep penned-up where such duties are undertaken, with a minimum payment of \$48.78 per day. This rate shall not be used in the calculation of any appropriate overtime rates.

5.1.5 *Rates for cooks and cook's offsiders*

- (a) The minimum rates to be paid to employees for acting as cook in connection with shearing or crutching operations shall be \$14.93 per day ("found") for every person excepting themselves for whom the employee cooks, but, if the total amount which the cook would receive under clause 5.1.5 for the term of the employment amounts to less than \$194.03 per day ("found") for the work after paying the necessary offsiders, the employer shall pay the deficiency to the employee. A cook engaged for a half day shall be paid 50% of the applicable rate per day ("found") for every person for whom the employee cooks.
- (b) A cook's offsider shall be paid by the cook at the rate of not less than 2/5ths of the rate paid to the cook, and where 2 offsiders are employed not less than 1/2 the rate paid to the cook, to be equally divided between them, per person, per week fixed by the Agreement, but in any case the weekly wage shall be made up to a minimum of \$657.70 per week.
- (c) The cook and any cook's offsider shall be entitled to keep or to dispose of any of the tallow.
- (d) For the purpose of complying with the *WorkCover Queensland Act 1996* and any other Act requiring deductions from the employee's wages by the employer, the cook and any cook's offsider shall be regarded as the employees of the owner, or where shearing is being done by contract, of the contractor.
- (e) Cooks may be engaged per 1/2 day. On the day prior to the commencement of shearing or crutching should the cook be required to prepare the evening meal or clean and prepare the kitchen for a normal start on the proceeding day, payment will be made at 50% of the appropriate daily or piecework rate.
- (f) On the day of cut-out a cook will be guaranteed 50% of the appropriate daily or piecework rate. However, should shearing proceed after the normal midday meal break a full day's wages will be payable.

5.1.6 Calculation of mess account - all personnel

All personnel shall be included in the calculation of the mess account where such personnel are eating in the mess.

For the purposes of clause 5.1.6 "personnel" shall include contractors, shearers, shed hands, wool pressers, cooks, cooks' offsidiers, classers, station hands, station owners and station managers.

5.1.7 Mess and cook charge

In the case of suburban shearing operations no deduction shall be made from the wages of any employee where mess and cook are not set up.

5.1.8 The Award rates shall be adjusted in accordance with Schedule 4.

5.1.9 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.

2. By deleting Schedule 4 and inserting the following in lieu thereof:

SCHEDULE 4 - SHEARING INDUSTRY WAGES FORMULAE

Shearers Formula

	\$
Total Base Rate (including safety net adjustments)	598.90
Plus 20% piecework allowance - total base rate x 20%	119.78
Plus 23% casual loading - total base rate x 23%	137.75
Plus shearing industry allowance	170.20
• delays for wet weather	31.10
• travelling	49.10
• isolation	60.00
• rations	30.00

TOTAL 1,026.63

Rates per 100 conversion - divide Total by 5	205.33
Plus disability allowance	1.00
Plus allowance for combs and cutters	13.60
Plus Handpiece allowance	2.50
Plus experting and grinding allowance	5.50
Total Rate per 100	227.93

Crutching Rates

Form of Crutching (calculated as a percentage of the per 100 shearing rate minus the handpiece allowance)	Per 100 Rate (including experting and grinding allowance) \$	Per 100 Rate (excluding experting and grinding allowance) \$
Full crutching at sheds: 29% of shearers rate per 100	65.37	63.78
All other crutching at sheds: 23% of shearers rate per 100	51.85	50.58
Full crutching other than at sheds: 25% of shearers rate per 100	56.36	54.98
All other crutching other than at sheds: 20% of shearers rate per 100	45.09	43.99
Wigging or Ringing: 11% of shearers rate per 100	24.80	24.19
Wigging and Ringing and Polling: 22.6% of shearers rate per 100	50.95	49.70

Crutching Rates

Form of Crutching (calculated as a percentage of the per 100 shearing rate minus the handpiece allowance)	Per 100 Rate (including experting and grinding allowance) \$	Per 100 Rate (excluding experting and grinding allowance) \$
Wigging or Ringing in addition: 3% of shearers rate per 100	6.76	6.60
Wigging and Ringing: 18% of shearers rate per 100	40.58	39.59
Wigging and Ringing in addition: 5% of shearers rate per 100	11.27	11.00
Cleaning Bellies: 2.5% of shearers rate per 100	5.64	5.50

Lack of amenities allowance - \$6.00 per day

Daily Rate

Handpiece provided by employees
\$

Not Found: daily rate x Shearers rate per 100 divided by old Shearers rate per 100	173.08
Found: Not Found rate less found deduction	152.51

Learners

Per Run
\$

Inexperienced adult shed hand rate	39.97
Experienced adult shed hand rate	41.49

Combs and Cutter Allowance

Per Week
\$

62.25% of shearers combs and cutters allowance	8.47
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Shearing Cook's Formula

\$

Total Base Rate (including safety net adjustments)	602.12
Plus 23% casual loading	138.49
Plus 20% long hours allowance	120.42
Plus shearing industry allowance	109.10

- travelling 49.10
- isolation/discomfort 60.00

TOTAL 970.13

Daily rate - Total divided by 5 194.03

Per Person per day rate: daily rate divided by 13 14.93

Shed Hands (Adults) FormulaWith Less than 65 days working experience

\$

Total Base Rate (including safety net adjustments)	535.96
Plus 23% casual loading - total base rate x 23%	123.27
Plus shearing industry allowance	140.20

- delays for wet weather 31.10
- travelling 49.10
- isolation 60.00

Total 799.43

	Per Week \$
Per Run - Total divided by 20	39.97
<u>With more than 65 days working experience</u>	
	\$
Total Base Rate (including safety net adjustments)	560.63
Plus 23% casual loading - total base rate x 23%	128.94
Plus shearing industry allowance	140.20

- delays for wet weather 31.10
- travelling 49.10
- isolation 60.00

Total	829.77
Per Run - Total divided by 20	41.49

Shed Hands (Juniors)

18 to 20 years

	Per Run \$
• with 65 days or more experience as a shed hand - 90% of equivalent adult rate	37.34
• with less than 65 days experience as a shed hand - 90% of equivalent adult rate	35.97

Under 18 years

• with 65 days or more experience as a shed hand - 70% of equivalent adult rate	29.04
• with less than 65 days experience as a shed hand - 70% of equivalent adult rate	27.98

Wool Pressers Formula

	Piecework \$	Timework \$
Total Base Rate (including safety net adjustments)	697.23	776.09
Plus 20% piecework allowance	139.45	
Plus 23% casual loading	160.36	178.50
Plus shearing industry allowance	170.20	170.20
• delays for wet weather 31.10		
• travelling 49.10		
• isolation 60.00		
• rations 30.00		
Total	1,167.24	1,124.79
Per run - Total divided by 20		56.24
By hand per bale - total divided by 70	16.67	
By hand per kilo - rate divided by 152.4	0.109383	
By power per bale - by hand per bale x 2/3	11.11333	
By power per kilo - rate divided by 152.4	0.072922	

Additional Rates

	Per Day \$
Found Deduction - Cook's per person per day rate plus \$6.00 for rations	20.93
Breakdown Allowance - old rate x shearers rate per 100 divided by old shearers rate per 100:	
• not found, handpiece not provided	151.19
• found, handpiece not provided	148.47

3. 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>
	\$	\$
5.5.1(a)	145.45	148.47
5.5.1(b)	148.11	151.19

Dated 1 October 2009.

G.D. SAVILL,
Registrar.