

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999

THEATRICAL EMPLOYEES' AWARD - STATE 2003

(Gazette, 4 July 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 Section A and inserting the following in lieu thereof:

SECTION A

Cinema Section

Wage rates

The minimum rates of wages shall be the minimum payable to employees in the Southern Division Eastern District whose conditions of employment are covered by sections B, C and D of this Award.

Classification	Relativity %	Award Rate Per Week \$
Projectionist Grade I Projectionist (Section B)	100.5	664.10
Projectionist Grade II Projectionist (Section C)	98.7	654.70
Projectionist (Section D)		
Cinema Employee Grade I Head Cleaner Utility Person	87.4	607.40
Cinema Employee Grade II Ticket Seller (Section C) Ticket Seller (Sections B & D) Cleaner	85	597.40
Cinema Employee Grade III Ushers etc, Ticket Takers (Sections B & D) Projectionists Assistant	82	584.90

Wages for projectionists

	Percentage of Projectionists rate %
First year	55
Second year	65
Third year	75
Fourth and subsequent years	85

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.

Casuals

Casual employees shall be paid as follows:

	Per Hour
	\$
(a) Between 10 a.m. and 6 p.m.	18.9325
(b) Between 6 p.m. and midnight	19.3170

(Note 1: the above (a) rate is Cinema Employee Grade III divided by 38 multiplied by 23%)

(Note 2: the above (b) rate is Cinema Employee Grade III divided by 38 multiplied by 25.5%)

Provided that a minimum payment for 2 and a-half hours shall be made for each engagement.

Casual projectionists and projectionists' assistants, i.e. employees who are employed for less than one week, shall be paid 23% in addition to the ordinary rate:

Provided that a minimum payment for 4 and a-quarter hours shall be made for each engagement.

Junior Employees

Junior employees shall receive a minimum payment as a percentage of the adult rate for any of the aforementioned classifications as follows:

Junior Employees -	Percentage of
	minimum
	adult rate%
Under 18 years old	55
18 to 20 years old	75
20 to 21 years old	85
21 years	adult rate

2. By deleting Section E and inserting the following in lieu thereof:

SECTION E

Theatres, Stadiums, Circuses, Skating Rinks, Sound Lounges, Discotheques, Theatre Restaurants, Dance and Other Halls, Cabarets, Planetariums and Clubs and Hotels in Connection with the Entertainment of Customers

Wages

The minimum rates of wages payable to the following classes of employees shall be:

(1) Back of House Staff -

Classification	Relativity %	Award Rate Per Week \$
Property Department -		
Head Property Master	100.5	664.10
Property Person	92.4	628.30
Wardrobe Department -		
Costume Supervisor	100.5	664.10
Wardrobe Assistants	92.4	628.30
Wardrobe Attendant	85	597.40

Classification	Relativity %	Award Rate Per Week \$
Mechanical Department -		
Head Stage Carpenters or mechanist Scene and/or Set Designer	} }	664.10
Stage Carpenter or mechanist Art (Scenic Artist/Artists/Set Painters)	} }	639.10
Light Department -		
Head lightperson Public Address and/or Sound Operator	} }	664.00
Head Technicians (Audio/ Video/Maintenance) Other Technicians (Audio/ Video/Maintenance) Lightperson	}))) }	639.10
Stage Staff -		
Stage Property person, lights and flies	87.4	606.40
Head Flyer	95	639.10
Person in charge of side	92.4	628.30
Employees required to work counterweights	92.4	628.30
Lightperson in perch, dome boatswain's chair or swinging scaffold, or showing spotlight or flooding by arc lamp	92.4	628.30
Dresser	85	597.40
Stage doorkeeper	82	584.90
Stage Manager's Department -		
Technical Stage Manager	110	705.30
Stage Manager	105	683.70
Assistant Manager	92.4	628.30
With more than 2 years experience	95	639.10

Hours

The said working week may be extended to 46 hours per week for the 3 weeks immediately preceding the opening performance of a production and 43 hours per week for each other week during the engagement by the payment of an additional amount as follows:

	Per Week \$
(a) To a Technical Stage Manager or Stage Manager	37.10
(b) To an Assistant Manager	33.60

(Note 1: Rate (a) above is the technical Stage Managers full-time rate divided by 38 then multiplied by 2.

Note 2: Rate (b) above is the Assistant Manager with more than 2 years experience divided by 38 then multiplied by 2).

The employer's intention to so extend the working week shall be notified to the employees prior to the commencement of the engagement and the prescribed additional payment shall then continue to be made throughout the engagement.

Stage Staff -	Per Performance \$
Lightperson, Public Address and/or Sound Operator	96.72
Stage, properties, lights and flies	88.33
Head Flyperson	93.09
Person in charge of side and/or mechanical revolving stage	91.52
If working counterweights from stage - 55 cents extra	
Lightperson in perch, dome, boatswain's chair or swinging Scaffold or showing light or flooding by arc lamp	91.52
Person in charge of dome - 64 cents extra	
Dressers	87.02

(Note 1: the above rates are the full-time rates of the same title ÷ 38 x 23% x 4.5.

Note 2: the "if working counterweights from stage" allowance is .6% of the performance rate.

Note 3: the "person in charge of dome" allowance is .7% of the performance rate).

Any employee in this section who is not employed for at least 6 performances in 7 weeks from the time of their first engagement shall be paid an extra 87 cents per performance. (Note 1: the above allowance is the usher etc performance rate divided by 100).

This classification shall not apply to employees sent by the relevant Union to fill the place of employees who do not intend to work during a performance.

The rates to be paid to the following classes of employees shall be:

Skilled property makers, carpenters - property or stage, flyer in rigging productions, person in charge of transport:

	Per Hour \$
From 8am to 6pm	20.0065
From 6pm to midnight	21.1970
From midnight to 8am	22.3970
During meal hours	21.1970
Sunday midnight to 8am)
Public Holidays midnight to 8am) 23.7155

Provided further that casual rates shall not be payable to employees engaged on a per performance basis.

(Note: The above hourly rates are to be adjusted to accord with future State Wage Case increases for the classification of "Stage property person, lights and flies" - (Stage Staff in Section E.))

(2) Front of House Staff -

Classification	Relativity %	Award Rate Per Week \$
Ushers, Monitors, Ticket Takers, Door Attendants, Gallery Ushers or Monitors, Escape Door Attendants, Commissionairies, Cloakroom Attendants, Programme Sellers, All other employees	85	597.40
Ticket Sellers	87.4	607.40
Ticket Sellers (Booking)	91.3	623.60
Spruikers-	82	584.90

PERFORMANCE EMPLOYEES

	Per Performance \$
(a) Ushers, Monitors, Cloakroom Attendants, Programme Sellers, All other employees, Ticket Takers, Door Attendants, Gallery Ushers, Effect people, Commissionairies, Stage Doorkeepers Barrier Door Attendants, Escape Door Attendants)))))) 87.02
(b) Ticket Sellers	90.83
(c) Spruikers	85.20

(Note 1: Rate (a) is the full-time ushers etc rate divided by 38, multiplied by 23% and then by 4.5.

Note 2: Rate (b) is the full-time ticket sellers (booking) rate divided by 38, multiplied by 23% and then by 4.5.

Note 3: Rate (c) is the full-time spruiker rate divided by 38, multiplied by 23% and then by 4.5.

Note 4: 4.5 in the above calculations represents 4.5 hours)

Any employee classified in this section who is not employed for at least 6 performances in 7 weeks from the time of their first engagement shall be paid an extra 87 cents per performance. (Note: the above allowance is the usher etc performance rate divided by 100).

This classification shall not apply to employees sent by the relevant Union to fill the place of employees who do not intend to work during a performance.

Employees who are in charge of, and supervise the duties of other employees shall be paid \$1.74 cents in addition to the performance rates set out. (Note: the above allowance is 2% of the ushers' performance rate)

Hours

(a) For ticket sellers, the hours of duty shall not exceed 7 hours and 36 minutes (including 10 minutes changing time) on 5 days in each week and shall be worked continuously except for a relief period of one-half hour to be given at a time to be mutually agreed upon by the employer and the employees.

(b) Mechanical, Property, Light and Stage Managers Department -

The ordinary working hours shall not exceed 7 hours and 36 minutes in any one day on 5 days in each week and shall be worked between the hours of 8.00am and 11.30pm.

Starting time to ceasing time shall not exceed 10.5 hours.

The ordinary working hours for casual employees shall not exceed 7 hours and 36 minutes on any one day.

(c) Wardrobe Department - The ordinary working hours shall not exceed 7 hours and 36 minutes in any one day on 5 days in each week and shall be worked between 9am and 8pm. Starting time to ceasing time shall not exceed 10.5 hours.

(d) Dressers - The ordinary working hours of dressers shall be from one hour prior to the raising of the curtain until 15 minutes after the final curtain fall.

(e) Per Performance Employees - The ordinary working hours of employees engaged and paid on a performance basis shall be worked as follows:

Other than at Dance Halls -

Evening Performance - 6.30pm to 9.15pm or 7pm to 10pm

Matinees - 12.30pm to 3.15pm

Evening Performance - 6.30pm to 11.00pm

Matinees - 12.30pm to 5.00pm

Dance Halls -

Ticket Sellers - 7.30pm to 11.00pm

Other Employees - 7.30pm to 11.30pm

The ordinary hours of duty for ordinary night hands in the mechanical, property, light, stage, managers and wardrobe department shall commence half an hour before the raising of the curtain and cease when the stage is cleared or at 11.00pm.

Except that one lightperson, if required, must be in the theatre at least one hour and a-half before the raising of the curtain or at 6 o'clock and be responsible for electric lights in the front of the house.

- (f) General - Except as hereinbefore provided, the ordinary working hours of casual employees shall commence at the time employees are required to attend for work and actually attend whether the work commences or not.

Performance employees shall be paid all ordinary pay due to them in the employer's time. All time in excess of ordinary working hours shall be paid for at overtime rates with quarter hour divisors, such payment to be made available during office hours on the next business day or paid on the next engagement by agreement between employer and employee.

Meal Times

Weekly employees shall be allowed time for a meal not later than 5 hours after their ordinary starting time each day:

Provided that the time allowed for such meal shall not be less than half an hour.

Overtime

All time worked in excess of the full-time or daily hours prescribed or before the fixed starting time or after the fixed ceasing time shall be overtime and shall be paid for at the rate of time and a-half for the first 3 hours on any day and at the rate of double time thereafter.

All time worked on Sunday subject to the provisions of Section "G" of this Award shall be paid for at the rate of double time.

All time worked between midnight and 8am on the next day shall be paid for at the rate of double time.

All time worked during meal times shall be paid at the rate of double time.

Working in wet weather

If an employee is required to work in the rain, or in an area where the rain makes conditions wet, and the employee gets their clothes or any part of their clothing wet, they shall be paid for all time so worked at the rate of double time and such payment continue until they cease work or are able to change into dry clothes:

Provided however that this clause shall not apply where the employee is provided by the employer with waterproof clothing and footwear.

Uniforms

Every employer shall provide a dress coat or dinner jacket when they require an employee to wear such coat or dinner jacket, or in lieu thereof shall pay to such employee in addition to the rate of wages prescribed herein an allowance \$1.74 per day or a maximum of \$8.70 per week. (Note 1: the above per day allowance is the usher etc per performance rate divided by 50. Note 2: the maximum per week is the above allowance multiplied by 5).

Employees required (in lieu of the above) to wear prescribed attire (other than the coat or dinner jacket referred to above) shall be paid \$6.09 for Doorman or Head Usher and \$5.66 for all other employees for each day they are required to do so when a performance occurs. (Note 1: the above allowances are 7% and 6.5% respectfully of the usher etc performance rate divided by 100).

Occupational Health & Safety

Provision shall be made for all employees performing Front of House duties to sit down for the purpose of resting whilst not engaged in performing their duty.

(3) Ten Pin Bowling

Classification	Relativity	Award Rate
	%	Per Week
		\$
Ten Pin Bowling - Head Machine Serviceperson	95	639.20
Machine Serviceperson	87.4	607.40

	Percentage of Adult Rate
	%
Junior - Machine Serviceperson - Under 18 years	55
18 years and under 20 years	75
20 and under 21 years	85
21 years and over	100

Classification	Relativity	Award Rate
	%	Per Week
		\$
Ten Pin Attendant	82	584.90

	Percentage of Adult Rate
	%
Junior Ten Pin Attendant - Under 18 years	55
18 years and under 20 years	75
20 and under 21 years	85
21 years and over	100

Classification	Relativity	Award Rate
	%	Per Week
		\$
Counter Control Attendant or Receptionist	85	597.40
Playroom Attendant	82	584.90

	Percentage of
	Adult Rate
	%
Junior - Counter Control Attendant or Receptionist - Under 18 years	55
18 years and under 20 years	75
20 and under 21 years	85
21 years and over	100

Junior rates shall be calculated in multiples of 10 cents with any result of 5 cents or more being taken to the next highest 10 cent multiple.

Casual employees who are employed for less than one week shall be paid 23% in addition to the rates prescribed for the various classifications with a minimum of not less than 3 hours for each engagement.

Hours of Duty - The ordinary working hours of all employees employed at Ten Pin Bowling Centres shall not exceed 38 per week and shall be worked in 5 days of not more than 7 hours and 36 minutes continuously, except for meal breaks, between the hours of 7.30 a.m. and 12 midnight:

Provided that Counter Control Attendants or Receptionists and Playroom Attendants shall be allowed 30 minutes changing time in their daily hours and their ordinary working hours shall be worked within a spread of 10 1/2 hours:

(4) Roller Skating Rinks

Classification	Relativity %	Award Rate Per Week \$
Roller Skating Rinks -		
Programme Director)		
Floor Attendant)		
Control Counter Attendant)	82	584.90
Skate Maintenance Person)		
Skate Room Attendant)	82	585.40

Juniors - Junior employees shall be paid the following percentages of the minimum adult rate:

	Performance %
Under 18 years	55
18 years and under 20 years	75
20 and under 21 years	85
21 years and over	100

Junior rates shall be calculated in multiples of 10 cents with any result of 5 cents or more being taken to the next highest 10 cent multiple.

Hours

Weekly Employees - The ordinary hours of employment shall be between the hours of 9.00am and 11.00pm and shall not exceed 38 per week or 7 hours and 36 minutes on any one day on 5 days of the week, with 2 consecutive days off. The ordinary working hours for full-time employees shall be worked within a maximum spread of 12 hours on any one day.

Week-end Penalty Rates

All ordinary time worked by full-time employees on a Sunday shall be paid for at the rate of double time.

Casuals employed on a Sunday shall be paid at the rate of 150% of the ordinary hourly rate as specified for full-time employees.

Casuals

All work performed during ordinary hours by casual employees who are employed for less than a week shall be paid for at the rates of 23% in addition to the rate prescribed for the appropriate classification with a minimum payment of 3 hours per engagement.

A casual employee is engaged by the hour and is not entitled to notice of termination of services, shall be paid as follows:

	Per Hour \$
From 8am to 6pm	19.7185
From 6pm to midnight	21.4145
From midnight to 8am	23.4650
During meal hours	21.4145
Sunday Midnight to 8am)	
Public Holidays Midnight to 8am)	26.2255

(Note 1: the (a) rate is the full-time skate room attendant rate divided by 38, multiplied by 28%.

Note 2: the (b) rate is the (a) rate multiplied by 8.6%.

Note 3: the (c) rate is the (a) rate multiplied by 19%.

Note 4: the (d) rate is the (a) rate multiplied by 8.6%.

Note 5: the (e) rate is the (a) rate multiplied by 33%.

Provided that a minimum payment for 3 hours shall be made for each engagement.

3. By deleting Section F and inserting the following in lieu thereof:**SECTION F****GENERAL**

- (1) Where an employee is employed, but is not provided for in the section of this Award applicable to the employer concerned, but is provided for in some other section of this Award, then the rate of wages and conditions of employment prescribed in such other section for the employee concerned shall be payable and granted.
- (2) Midnight Shows - Weekly employees shall be paid not less than 1/3rd of the prescribed full-time rate for work performed as follows:

Sections "B" and "D" a minimum of 4.25 hours; Section "C" a minimum of 4 hours 48 minutes; Section "E" a minimum of 3.5 hours and treble time thereafter.

All other employees shall be paid at the rate of double time for a minimum of 2 hours and maximum of 4.25 hours and treble time thereafter.

A midnight show is a performance which may commence after the usual night performance or at 11.30pm or thereabouts.

- (3) Booking clerks and ticket sellers covered by Section "E" (excluding theatres) shall not be held responsible for cash shortages when they are instructed to allow another employee (including the manager) access to their cash during a selling period or when not given the opportunity to check change and tickets required to be sold by them.
- (4) Where the Executive of The Australian Workers' Union of Employees, Queensland agrees with any employer that for special reasons conditions different to those prescribed herein should be accepted by any employee, altered conditions may be agreed upon between the said Union and the employer.
- (5) An employee required to continue working overtime between 12 midnight and 8am and required to continue or resume work after 8am without having had a break of at least 8 hours and in the cinema industry a break of at least 10 hours shall be paid at the highest overtime rate applying until a break of at least 8 hours or 10 hours as the case may be shall have been given to them.

If an employee is required to work at a midnight performance after working during a night performance the employee shall be allowed a supper break of one-half hour between 10pm and 12 midnight.

Employees required to continue working after a performance, i.e., bumping out, shall be entitled to a supper break of one-half hour for which no deduction in pay shall be made.

Notwithstanding any other provision in this clause, where the arrangement of ordinary hours of work provides for a rostered day off, the employer and the employee concerned, may agree to accrue up to a maximum of 5 rostered days off. Where such agreement has been reached, the accrued rostered days off shall be taken within 12 calendar months of the date on which the first rostered day off was accrued. Consent to accrue rostered days off shall not be unreasonably withheld by either party.

- (6) Provided that all employees whose ordinary hours of work on or before 31 August 1995 were 36 per week, retain such ordinary hours under this Award.
- (7) Wages - The minimum rates of wages payable to the following classes of employees wherever employed shall be:

Classification	Relativity %	Award Rate Per Week \$
Head Day Cleaner	87.4	607.85
Day Cleaner	85	597.40
Cleaners going to work twice a day	87.4	607.85
Utility Men	87.4	607.85

Night Shift Allowance - Provided that employees required to work between the hours of 1.00pm and 5.45am shall be paid an allowance of \$9.70 per shift.

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.

- (8) Casual employees, i.e. - employees who are employed for less than a week, shall be paid 23% in addition to the rate prescribed, with a minimum payment of not less than 3 hours for each engagement.
- (9) Hours -
 - (a) Cleaners - The ordinary working hours of cleaners shall be 38 per week to be worked at 7 hours and 36 minutes in any one day on 5 days in any one week and shall be worked in the case of day cleaners between 6.30am and 6pm and in the case of night cleaners between 10pm and 10am on the following day.
 - (b) Utility people - The ordinary working hours of utility people shall not exceed 8 hours in any one day on 5 days in each week and shall be worked between 6.30am and 11.00pm. Starting time to ceasing time shall not exceed 10.5 hours.
- (10) Meal Time - Day and night cleaners and utility person shall be allowed meal time of not less than one-half hour, such meal time to be granted not later than 5 hours after commencing work.
- (11) Overtime - Save as hereinafter provided all time worked in excess of the full-time working hours shall be paid for at the rate of time and a-half.

All time worked before the fixed starting time or after the fixed ceasing time shall be paid for at time and a-half for the first 3 hours on any one day and double time thereafter.

Cleaners whose normal working hours include Sunday or part thereof shall be excluded from the rates of pay and conditions prescribed in this Award under "Sunday Screening and/or Performances" (Section "G").

Provided, however, that a cleaner called upon to work on Sundays in addition to their 5 day week, and in connection with a Sunday performance within the area defined, shall be in accordance with Section "G", otherwise all time worked on Sunday and for emergency or maintenance shall be paid at the rate of double time.

All time worked during the meal time shall be paid for at the rate of double time.

Dated 1 October 2009.

G.D. SAVILL,
Registrar.