

## **TAFE QUEENSLAND AWARD – STATE 2016**

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

### **1. Title**

This Award is known as the *TAFE Queensland Award - State 2016*.

### **2. Operation**

Subject to section 824 of the Act, this Award operates from 9 June 2016.

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

Unless the context otherwise requires, in this Award:

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

**afternoon shift** means:

- for Support employees - any shift commencing at or after 1200 and at or before 1800; or
- for Facilities and Operations employees - any shift commencing at or after 1000 and before 1800 and finishing subsequent to 1800 and at or before 2400

**appointment on merit** means a person is employed by TAFE Queensland in a role (other than in a casual engagement) for which they have been assessed by TAFE Queensland as demonstrating superior merit against the key attributes of the role as compared to other applicants

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

**base qualification** means a qualification which is considered by the Chief Executive to be equivalent to an apprenticeship or similar qualification

**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

**calendar year** means the period between 1 January and 31 December, inclusive

**Chief Executive** means the Chief Executive Officer of TAFE Queensland

**classification level** comprises a minimum salary rate plus a number of steps/paypoints in a particular stream through which employees will be eligible to progress

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

**Commission** means the Queensland Industrial Relations Commission

**contact time** means time spent by an Educator teaching/delivering course content

**continuous service in the same role** means:

- a role which is essentially the same (e.g. a payroll officer may provide a service to different client groups); or
- rotation through a range of duties within a generic role description (e.g. rotation through financial and payroll processing duties under a generic entry-level role description); or
- a cumulative total of two years' service in the same role in TAFE Queensland, provided that the breaks in employment do not exceed a total of three months in the previous two year period

**day shift** means any shift worked as part of a non-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 system

**day worker** means a TAFE Services employees who performs day work

**dependant** means a spouse, de facto partner, or registered partner and a child of the employee under 21 years of age, who is not in receipt of wages per week in excess of the Queensland Minimum Wage

**Educator** means an employee classified under the Educator stream

**employee** means a person employed by TAFE Queensland whose salary or rate of pay is fixed by this Award and who is classified under this Award and engaged in the Queensland Vocational Education and Training Sector

**Facilities and Operations employee** means an employee employed in a calling listed in clause 15.2(a)(iii) whose industrial arrangements prior to operation of this Award were underpinned by one of the pre-modernisation awards listed in clauses 4.1(a)(iii)(A), (B) or (C)

**General Manager** means the position responsible for a Region

**increment** means an increase in salary from one step/paypoint to the next highest step/paypoint within a classification level

**Leading Vocational Teacher** means an Educator who performs the duties of a Leading Vocational Teacher prescribed in clause S1.3 of Schedule 1

**live work** means practical work where students perform different tasks on full scale class exercises conducted on campus premises, including workshops as well as at locations external to the campus

**night shift** means:

- for Support employees - any shift commencing at or after 1000 and before 1800 and finishing subsequent to 1800 and at or before 2400; or
- for Facilities and Operations employees - any shift commencing at or after 1800 and before 0600 the following day

**non-attendance time** means those periods of time where Educators are not required to be in attendance at a campus

**non-contact time** means time spent by an Educator undertaking preparation and performing other Regional duties

**paypoint** means the specific rate of remuneration payable to a TAFE Services employee within a classification level

**permanent** means employment on a full-time or part-time basis that is not a temporary or a casual engagement

**public holiday** has the same meaning as that provided in Chapter 2A of Schedule 5 of the Act

**programmed time** means a combination of contact and non-contact time

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

**Queensland Vocational Education and Training (VET) sector** means education and training delivered by registered training organisations in Queensland including accredited Vocation Education and Training that is regulated by the *National Vocational Education and Training Regulator Act 2011*

**Region** means any technical and further education unit of administration operated by TAFE Queensland that provides vocational education and training pursuant to the *TAFE Queensland Act 2013*

**rostered day off** means a day, other than a scheduled day off, on which a TAFE Services employee is not rostered for duty as a result of time accrued under the method of working ordinary hours implemented in accordance with clauses 15.2(a) to (f), inclusive, or clause 15.7

**scheduled day off** means:

- for a TAFE Services employee whose ordinary hours of duty are Monday to Friday: Saturday and Sunday; or
- for a TAFE Services 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 15.2(g). Depending on the working arrangements, a Saturday and/or Sunday may also be a scheduled day off

**shift work** means work performed by a TAFE Services employee on day shift, afternoon shift or night shift as part of a non-continuous shift work system

**shift worker** means a TAFE Services employee who works shift work

**spread of hours** means the hours of the day within which ordinary hours are worked

**step** means the specific rate of remuneration payable to Educators within a classification level

**Support employee** means an employee whose industrial arrangements prior to operation of this Award were underpinned by the pre-modernisation award cited at clause 4.1(a)(iii)(D)

**TAFE Services or TAFE Services employee** means a Support employee or a Facilities and Operations employee

**Teacher** means an Educator who performs the duties of a Teacher prescribed in clause S1.2 of Schedule 1

**teaching team** means a team/s of Educators within a Region

**time off in lieu** means compensation for overtime on a time for time basis

**Tutor** means an Educator who performs the duties of a Tutor prescribed in clause S1.1 of Schedule 1

**week** means that period which commences on a Monday and concludes on the following Sunday

**Union** means one of the industrial organisations of employees mentioned in clause 4.1(d)

## 4. Coverage

**4.1** This Award applies to:

(a) TAFE Queensland employees:

- (i) whose salaries or rates of pay are fixed by this Award and who are classified under this Award; and
- (ii) who are engaged in the Queensland Vocational Education and Training Sector; and

- (iii) whose industrial arrangements prior to the operation of this Award were underpinned by the following pre-modernisation awards:
  - (A) *Building Trades Public Sector Award - State 2012;*
  - (B) *Employees of Queensland Government Departments (Other Than Public Servants) Award - State 2012;*
  - (C) *Engineering Award - State 2012;*
  - (D) *Queensland Public Service Award - State 2012;*
  - (E) *Senior College Teachers' Award - State 2012;*
  - (F) *TAFE Teachers' Award - State 2012;* and
- (b) short term casual employees and pieceworkers as described in Schedule 7; and
- (c) the Chief Executive Officer of TAFE Queensland, a legal entity established under the *TAFE Queensland Act 2013*, in their capacity as the employer of employees covered by this Award; and
- (d) the following industrial organisations of employees:
  - (i) Automotive, Meals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
  - (ii) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - (iii) Electrical Trades Union of Employees Queensland;
  - (iv) Queensland Nurses' Union of Employees;
  - (v) Queensland Teachers Union of Employees;
  - (vi) Together Queensland, Industrial Union of Employees; and
  - (vii) United Voice, Industrial Union of Employees, Queensland,to the exclusion of any other award.

**4.2** The provisions of this Award apply to all employees identified in clause 4.1(a). However, where a provision of a Schedule to this Award applies to a classification of employees or to identified employees the provisions of the Schedule apply to the extent of any inconsistency.

## **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 TAFE Queensland 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/s, 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 TAFE Queensland 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 Chief Executive may delegate such Chief Executive's grievance resolution powers under clause 7.2 to a nominated representative.
- (g) 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.
- (h) If the grievance is not settled the matter may be referred to the Commission by the employee or the Union.
- (i) 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.
- (j) 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**

An employee may be employed on a full-time, part-time or casual basis.

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

A full-time employee is one that is engaged to work an average of 36.25 ordinary hours per week, unless 38 hours is specified elsewhere in this Award.

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

- (a) A part-time employee is an employee who:
  - (i) is engaged to work a regular pattern of ordinary hours each week which are less than the ordinary hours worked by an equivalent full-time employee; and
  - (ii) 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:

- (i) 1/72.5th of the minimum fortnightly rate of pay for their classification level where an equivalent full-time employee's ordinary hours of work are 36.25 hours per week; or
  - (ii) 1/76th of the minimum fortnightly rate of pay for their classification level where an equivalent full-time TAFE Services employee's ordinary hours of work are 38 hours per week.
- (c) The minimum payment on any day when work is performed shall be for 2 hours in respect to each engagement for TAFE Services employees and 1 hour for cleaners in small educational facilities, which require the engagement of only one cleaner.
- (d) Additional ordinary hours - TAFE Services
- (i) By mutual agreement with TAFE Queensland, a part-time TAFE Services 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 15.4 are to be either paid for at the ordinary hourly rate or where organisational (flexible) hours of work arrangements apply, accrued as prescribed in clause 8.2(e);
    - (B) shift workers - to be paid for at the ordinary hourly rate.
- (e) Additional ordinary hours where flexible working hours arrangements apply
- (i) Subject to clause 8.2(e)(ii), where organisational (flexible) hours of work arrangements as prescribed in clause 15.11 and Schedule 8 of this Award apply to a part-time TAFE Services employee working day work, any additional ordinary hours worked above 7.25 hours and up to 9.5 hours on any one day will be credited as accrued time.
  - (ii) Where any such additional hours are performed on a day not ordinarily worked by the part-time TAFE Services employee working day work as part of their regular work pattern:
    - (A) such additional ordinary hours to a total of 7.25 ordinary working hours per day shall be paid for at the ordinary hourly rate which will be taken into account in the *pro rata* calculation of all entitlements or, at the election of the TAFE Services employee, be credited as accrued time; and
    - (B) such additional ordinary hours that exceed a total of 7.25 ordinary working hours per day will be credited as accrued time.
- (f) Subject to clauses 8.2(d) and (e) all time worked by a part-time TAFE Services 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 15.4, is to be paid at the appropriate overtime rate prescribed in clauses 18.2, 18.3 or 18.4, as the case may be.
- (g) Notwithstanding clause 12.11(a), progression for part-time Educators from one step to the next highest step will be by completion of one year equivalent full-time service.
- (h) Part-time TAFE Services employees are eligible for payment of salary increments in accordance with the provisions of clause 12.12(a)(ii).
- (i) Voluntary return from permanent part-time to permanent full-time employment - Educators

- (i) A Teacher or a Leading Vocational Teacher employed full-time prior to transferring to part-time employment and who requests to voluntarily return to full-time employment is guaranteed return to full-time teaching at the earliest available opportunity.
  - (ii) In general, 3 months' notice will be required prior to return to permanent full-time employment. However, the parties recognise that problems may occur in smaller campuses which necessitate a longer waiting period. In these cases, the return to permanent full-time employment will be subject to a vacancy arising but wherever possible will occur no later than the commencement of the following year, provided that the appropriate notice has been given.
  - (iii) Where TAFE Queensland believes that a return to full-time teaching will not be possible by the commencement of the following year, TAFE Queensland will notify the Educator and the relevant Union at the earliest opportunity of this fact and the circumstances preventing a return to permanent full-time employment. Subject to clause 7.2 of this Award, the parties will negotiate a return to full-time teaching.
  - (iv) Wherever possible, TAFE Queensland will waive notice requirements for return to full-time teaching in emergent or compassionate circumstances.
- (j) Involuntary return from permanent part-time to permanent full-time employment
- (i) The parties acknowledge that circumstances as agreed to from time to time will arise where continuation of part-time hours of work will present difficulties for efficient resourcing.
  - (ii) An employee considered to be in such a situation will be approached by TAFE Queensland to negotiate a return to permanent full-time employment.

### **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 ordinary hour worked a casual employee shall be paid no less than:
- (i) 1/72.5th of the minimum fortnightly rate of pay for their classification level where an equivalent full-time employee's ordinary hours of work are an average of 36.25 hours per week; or
  - (ii) 1/76th of the minimum fortnightly rate of pay for their classification level where an equivalent full-time TAFE Services employee's ordinary hours of work are an average of 38 hours per week,
- 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) The long service leave entitlement of casual employees is recorded in clause 24.

- (f) Each casual engagement for a TAFE Services employee stands alone with a minimum payment as for 2 hours' work.
- (g) Casual TAFE Services employees are eligible for payment of salary increments in accordance with the provisions of clause 12.12(a)(iii).
- (h) The following conditions shall be applicable to casual Educators:
  - (i) a **casual Teacher** shall be paid the hourly equivalent of classification level Teacher, step 4 provided in clause 12.3(a);
  - (ii) the hourly rate in clause 8.3(h)(i) shall be calculated by dividing the appropriate fortnightly salary by 42 and adding 23% for engagements between the hours of 0800 and 1800 Monday to Friday;
  - (iii) the hourly rate referred to in clause 8.3(h)(i) includes payment for programmed time;
  - (iv) a **casual Tutor** shall be paid the hourly equivalent of 70% of classification level Teacher, step 4 provided in clause 12.3(a) of this Award. The hourly rate provision for a casual Tutor shall be calculated by dividing the appropriate fortnightly salary by 64 and adding 23% for engagements between the hours of 0800 and 1800 Monday to Friday;
  - (v) the number of hours that a casual Tutor is engaged for must reflect the number of hours that they are programmed for Tutoring duties;
  - (vi) all teaching/tutoring hours worked before 0800 and after 1800 Monday to Friday or on Saturday shall be paid at one and one-half times the ordinary hourly rate;
  - (vii) all teaching/tutoring hours worked on Sundays shall be paid at double the ordinary hourly rate;
  - (viii) all teaching/tutoring hours worked on public holidays shall be paid at double time and one-half the ordinary hourly rate;
  - (ix) where casual teaching/tutoring is allotted owing to an unscheduled staff shortage caused by sick leave, special leave or any other emergency, payment shall be made at the applicable rate specified in clauses 8.3(h)(i) to (viii).

#### **8.4 Review of temporary employment**

Where a temporary employee has completed 2 years' of continuous service in the same role with TAFE Queensland, a review of the temporary status will be undertaken and the General Manager will determine whether the employee will be converted to permanent status at level.

#### **8.5 Recognition of previous service**

- (a) Subject to clause 8.5(c) employees who are appointed, reappointed, engaged, or re-engaged to work in TAFE Queensland are entitled to recognition of previous service for the purpose of calculating sick leave accumulation, long service leave entitlements and the paid parental leave qualifying period.
- (b) For the purpose of this clause **previous service** will be within 12 months of ceasing employment with one of the following employers:
  - (i) a government entity as defined in section 24 of the *Public Service Act 2008* (QLD);
  - (ii) as an Electorate Secretary to a Queensland Member of Parliament;

- (iii) with Mater Misericordiae Public Hospitals;
  - (iv) local government;
  - (v) the Parliamentary Service;
  - (vi) the unit maintaining the Governor's official residence;
  - (vii) the Courts of the State of all jurisdictions;
  - (viii) the Police Service;
  - (ix) tertiary educational institutions including universities, university colleges and colleges of advanced education but excluding private universities and colleges;
  - (x) Commonwealth/other state public services, state government departments, or statutory authorities;
  - (xi) Commonwealth hospitals and public hospital in other states;
  - (xii) Commonwealth authorities (e.g. Territories) and local authorities in other states; and
  - (xiii) organisations fully owned by the Commonwealth, Queensland or other state government (e.g. government owned corporations including shared ownership across governments).
- (c) Notwithstanding clause 8.5(a), casual and temporary employees are entitled to recognition of previous service for the purpose of calculating long service leave entitlements and the paid parental leave qualifying period.
- (d) Notwithstanding clause 8.5(b), previous service for casual and temporary employees will be within 12 months of ceasing employment with an employer as prescribed in clause 8.5(b).

## **8.6 Probationary employment**

- (a) Except where TAFE Queensland 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 3 months duration. If a period of probation of longer than 3 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) TAFE Queensland 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 shall be deemed to be confirmed.

## **8.7 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 8.7 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, TAFE Queensland 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 TAFE Queensland**

Notice of termination by TAFE Queensland 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**

Unless otherwise agreed between TAFE Queensland and an employee the notice of termination required by an employee, other than a casual employee, will be two weeks or two weeks' salary forfeited in lieu. If an employee fails to give the required notice TAFE Queensland 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 TAFE Queensland 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 TAFE Queensland 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. This time off is to be taken at times that are convenient to the employee after consultation with TAFE Queensland.

### **9.5 Statement of employment**

TAFE Queensland 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 level or type of work performed by the employee.

## **10. Redundancy**

### **10.1 Redundancy pay**

- (a) Redundancy pay is provided for in Division 9 of the QES. Clauses 10.1(b) to (f) and 10.2 to 10.9 supplement the QES provisions.
- (b) Permanent employees with a minimum of 12 months' service who are made redundant or retrenched are entitled to redundancy pay prescribed in clauses 10.1(c) and (d).
- (c) Redundancy pay is 2 weeks' pay per full time equivalent year of service, paid at the employee's ordinary time rate of pay (excluding overtime, allowances and other ancillary payments), and a proportionate amount for an incomplete year of service, calculated at the employee's substantive classification level.
- (d) Redundancy pay will be a minimum four weeks' pay and a maximum of 52 weeks' pay.
- (e) The Chief Executive may offer a permanent employee an incentive payment of \$6,500 or the equivalent of 12 weeks' pay at the employee's substantive classification level (whichever is greater) to encourage the employee to exit TAFE Queensland on or by a specified date.
- (f) Notwithstanding clause 10.1(e), the incentive payment is inclusive of payment in lieu of notice and reduces by the equivalent of 1 week's pay for each week the employee delays leaving TAFE Queensland after a specified date.

### **10.2 Consultation before termination**

- (a) Where TAFE Queensland decides that it 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, TAFE Queensland shall consult the employee/s directly affected and, where relevant, their Union/s.
- (b) The consultation will take place as soon as it is practicable after TAFE Queensland 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 TAFE Queensland will, 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), TAFE Queensland shall not be required to disclose confidential information, the disclosure of which would be adverse to TAFE Queensland'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) TAFE Queensland may, at its option, make payment in lieu thereof of an amount equal to the difference between the former amounts TAFE Queensland would have been liable to pay and the new lower amount TAFE Queensland 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 the same benefits and payments they would have received under this clause had they remained in employment until the expiry of such 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 TAFE Queensland, produce proof of attendance at an interview or the employee will not receive payment for the time absent. For the purpose of this clause 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 TAFE Queensland (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 TAFE Queensland (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 transmitter; and
- (ii) which recognises the period of continuous service which the employee had with the transmitter and any prior transmitter to be continuous service of the employee with the transmitter.

### **10.8 Alternative employment**

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

- (a) Where TAFE Queensland decides to introduce changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, TAFE Queensland 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 TAFE Queensland'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 TAFE Queensland's duty to consult over change**

- (a) TAFE Queensland 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, TAFE Queensland intends to carry out the dismissals) and the 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 TAFE Queensland 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) TAFE Queensland shall not be required to disclose confidential information, the disclosure of which would be adverse to TAFE Queensland'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 10 (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 the six streams as follows:

##### **(a) Educator stream**

- (i) The Educator stream comprises those roles, the duties of which apply to the functional areas identified in clause 12.1(a)(ii), the incumbents of which are required to possess a range of skills appropriate to the stream.
- (ii) The functional areas include tutoring and teaching.

##### **(b) Administrative stream**

- (i) The Administrative stream comprises those roles, the duties of which apply to the functional areas identified in clause 12.1(b)(ii), the incumbents of which are required to possess a range of skills appropriate to the stream.
- (ii) The functional areas include TAFE Queensland administration, human resource management, finance, customer service, development and implementation of policy, information and advisory services.

##### **(c) Professional stream**

The Professional stream comprises roles:

- (i) to which are attached a mandatory degree qualification or agreed equivalent as determined by the Chief Executive; and
- (ii) the duties of which reflect:
  - (A) a combination of practitioner and/or specialist responsibilities; or
  - (B) an identifiable specialisation/management in a profession.

##### **(d) Technical stream**

The Technical stream comprises roles:

- (i) to which are attached a mandatory diploma, advanced diploma or agreed equivalent as determined by the Chief Executive; and
- (ii) the duties of which reflect:
  - (A) a combination of practitioner and/or specialist responsibilities providing direct assistance to, but on occasion acting in isolation from, other employees; and/or
  - (B) supervision of employees.

(e) **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.

(f) **Cleaners stream**

The Cleaners stream comprises those employees engaged as cleaners.

**12.2 Allocation to stream and classification levels**

- (a) Allocation of employees to the Educator, Administrative, Professional, Technical and Operational streams and to classification levels within those streams shall be in accordance with the classification standards contained in Schedules 1 to 5.
- (b) 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.
- (c) Notwithstanding anything contained elsewhere in this Award, an applicant who is appointed to a TAFE Services position may, at the discretion of TAFE Queensland, be offered and appointed to any paypoint within a level based on recognition of skills, knowledge and abilities.

**12.3 Minimum salary levels**

(a) **Educator stream**

Subject to the provisions of Schedule 6, the minimum salaries payable to Educators covered by this Award 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>
<b>Tutor</b>	<b>Step 1</b>	1,866	48,682
	<b>Step 2</b>	1,920	50,091
	<b>Step 3</b>	1,993	51,995
	<b>Step 4</b>	2,070	54,004
	<b>Step 5</b>	2,163	56,431
<b>Teacher</b>	<b>Step 1</b>	2,501	65,249
	<b>Step 2</b>	2,613	68,171
	<b>Step 3</b>	2,726	71,119
	<b>Step 4</b>	2,840	74,093
	<b>Step 5</b>	2,956	77,119
	<b>Step 6</b>	3,072	80,145
	<b>Step 7</b>	3,189	83,198
<b>Leading Vocational Teacher</b>	<b>Step 1</b>	3,267	85,233
	<b>Step 2</b>	3,344	87,242
	<b>Step 3</b>	3,422	89,277

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.

**(b) Administrative stream**

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

<b>Classification Level</b>	<b>Paypoint</b>	<b>Relativity to Age 21 Rate %</b>	<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual Salary<sup>3</sup> \$<sup>2</sup></b>
<b>Level 1</b>	<b>1</b>	77	1,318	34,385
	<b>2</b>	82	1,404	36,629
	<b>3</b>	87	1,489	38,847
<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
	<b>2</b>		3,027	78,971
	<b>3</b>		3,110	81,137
	<b>4</b>		3,193	83,302
<b>Level 6</b>	<b>1</b>		3,366	87,816
	<b>2</b>		3,443	89,824
	<b>3</b>		3,519	91,807
	<b>4</b>		3,595	93,790
<b>Level 7</b>	<b>1</b>		3,755	97,964
	<b>2</b>		3,845	100,312
	<b>3</b>		3,933	102,608
	<b>4</b>		4,021	104,904
<b>Level 8</b>	<b>1</b>		4,152	108,322
	<b>2</b>		4,231	110,383
	<b>3</b>		4,309	112,418
	<b>4</b>		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.

**(c) Professional stream**

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

<b>Classification Level</b>	<b>Paypoint</b>	<b>Relativity to Age 21 Rate %</b>	<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual Salary<sup>3</sup> \$<sup>2</sup></b>
<b>Level 1</b>	<b>1</b>	76	1,355	35,351
	<b>2</b>	83	1,480	38,612
	<b>3</b>	90	1,605	41,873
	<b>4</b>	100	1,783 <sup>4</sup>	46,517
	<b>5</b>		1,857	48,447
	<b>6</b>		1,930	50,352
	<b>7</b>		2,013	52,517
<b>Level 2</b>	<b>1</b>		2,170	56,613
	<b>2</b>		2,286	59,639
	<b>3</b>		2,402	62,666
	<b>4</b>		2,520	65,744
	<b>5</b>		2,638	68,823
	<b>6</b>		2,754	71,849
<b>Level 3</b>	<b>1</b>		2,888	75,345
	<b>2</b>		2,974	77,589
	<b>3</b>		3,060	79,832
	<b>4</b>		3,146	82,076
<b>Level 4</b>	<b>1</b>		3,343	87,216
	<b>2</b>		3,427	89,407
	<b>3</b>		3,511	91,598
	<b>4</b>		3,595	93,790
<b>Level 5</b>	<b>1</b>		3,755	97,964
	<b>2</b>		3,845	100,312
	<b>3</b>		3,933	102,608
	<b>4</b>		4,021	104,904
<b>Level 6</b>	<b>1</b>		4,152	108,322
	<b>2</b>		4,231	110,383
	<b>3</b>		4,309	112,418
	<b>4</b>		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 Professional stream.

(d) **Technical stream**

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

<b>Classification Level</b>	<b>Paypoint</b>	<b>Relativity to Age 21 Rate %</b>	<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual Salary<sup>3</sup> \$<sup>2</sup></b>
<b>Level 1</b>	<b>1</b>	76	1,355	35,351
	<b>2</b>	83	1,480	38,612
	<b>3</b>	90	1,605	41,873
	<b>4</b>	100	1,783 <sup>4</sup>	46,517
	<b>5</b>		1,857	48,447
	<b>6</b>		1,930	50,352
	<b>7</b>		2,013	52,517
<b>Level 2</b>	<b>1</b>		2,046	53,378
	<b>2</b>		2,118	55,257
	<b>3</b>		2,191	57,161
	<b>4</b>		2,265	59,092
	<b>5</b>		2,339	61,022
	<b>6</b>		2,412	62,927
<b>Level 3</b>	<b>1</b>		2,553	66,605
	<b>2</b>		2,619	68,327
	<b>3</b>		2,686	70,075
	<b>4</b>		2,754	71,849
<b>Level 4</b>	<b>1</b>		2,888	75,345
	<b>2</b>		2,978	77,693
	<b>3</b>		3,068	80,041
<b>Level 5</b>	<b>1</b>		3,193	83,302
	<b>2</b>		3,285	85,702
	<b>3</b>		3,377	88,103
	<b>4</b>		3,469	90,503
<b>Level 6</b>	<b>1</b>		3,579	93,373
	<b>2</b>		3,667	95,668
	<b>3</b>		3,755	97,964

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 Technical stream.

**(e) Operational stream**

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

<b>Classification Level</b>	<b>Paypoint</b>	<b>Relativity to Age 21 Rate %</b>	<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual Salary<sup>3</sup> \$<sup>2</sup></b>
<b>Level 1</b>	<b>1</b>	68	1,164	30,368
	<b>2</b>	74	1,267	33,055
	<b>3</b>	79	1,352	35,272
	<b>4</b>	85	1,455	37,959
	<b>5</b>	90	1,541	40,203
	<b>6</b>	96	1,644	42,890
<b>Level 2</b> Age 21 <sup>4</sup>	<b>1</b>	100	1,712 <sup>4</sup>	44,664
	<b>2</b>		1,757	45,838
	<b>3</b>		1,804	47,065
	<b>4</b>		1,850	48,265
<b>Level 3</b>	<b>1</b>		1,878	48,995
	<b>2</b>		1,915	49,960
	<b>3</b>		1,954	50,978
	<b>4</b>		1,995	52,048
<b>Level 4</b>	<b>1</b>		2,075	54,135
	<b>2</b>		2,140	55,830
	<b>3</b>		2,206	57,552
	<b>4</b>		2,270	59,222
<b>Level 5</b>	<b>1</b>		2,328	60,735
	<b>2</b>		2,402	62,666
	<b>3</b>		2,478	64,649
	<b>4</b>		2,553	66,605
<b>Level 6</b>	<b>1</b>		2,660	69,397
	<b>2</b>		2,730	71,223
	<b>3</b>		2,799	73,023
<b>Level 7</b>	<b>1</b>		2,929	76,415
	<b>2</b>		2,998	78,215
	<b>3</b>		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.

**(f) Cleaners**

The minimum salaries payable to Cleaners covered by this Award, including Cleaners under 21 years of age, are prescribed in the table below:

<b>Classification Level</b>	<b>Paypoint</b>	<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual Salary<sup>3</sup> \$<sup>2</sup></b>
<b>Level 2</b>	<b>1</b>	1,712	44,664
	<b>2</b>	1,757	45,838
	<b>3</b>	1,804	47,065
	<b>4</b>	1,850	48,265

*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.

**(g) Payment of salaries**

Salaries shall be paid fortnightly and may at the discretion of the Chief Executive be paid by electronic funds transfer.

**12.4 Salaries at appointment - Teachers**

- (a) On appointment a Teacher will be placed on a step commensurate with the minimum salary for their qualifications and experience as determined by Schedule 1.
- (b) Notwithstanding clause 12.4(a) and subject to clause 12.4(c), salary at appointment for Teachers between classification level Teacher, step 1 and Teacher, step 4 may be determined by the General Manager.
- (c) The General Manager will consider:
- (i) the business needs of the Region including isolation, the ability to recruit and local industry training needs;
  - (ii) qualifications including teaching, vocational AQF, licenses and professional body credentials;
  - (iii) skills including the ability to teach a broad range or higher level of classes, or expertise in business development, industry liaison, or, financial, project or relationship management; and
  - (iv) experience including teaching experience in the type, currency, length, breadth and range of delivery methods, and length and breadth in industry experience.
- (d) A Teacher with an approved teaching qualification and a vocational qualification of not less than diploma level, and up to and including degree level, and 5 years post trade training industry and/or teaching experience will be appointed at no less than classification level Teacher, step 2.
- (e) A Teacher with an approved teaching qualification and a vocational qualification at bachelor degree level plus additional higher qualifications and 5 years post trade training industry and/or teaching experience will be appointed at no less than classification level Teacher, step 3.
- (f) Recognition of previous teaching experience up to classification level Teacher, step 7 is subject to the Teacher holding an approved teaching qualification.



### **12.5 Work allocation - Educators**

- (a) Casual tutorial engagements will be offered to permanent Tutors in the first instance and secondly to permanent Teachers/Leading Vocational Teachers, provided that such engagements extending beyond 6 hours per week for permanent Educators will be subject to the discretion of the General Manager.
- (b) Where a Tutor is appropriately qualified, casual teaching engagements should be offered to permanent Tutors providing that permanent Teachers/Leading Vocational Teachers receive the first offer of the engagement.
- (c) Emergency tutoring hours may, of necessity, be introduced at short notice to a Tutor's program. Emergency tutoring hours are those relating to an unscheduled Tutor shortage caused by sick leave, special leave or any other emergency.
- (d) Tutors who have an agreed program and who are asked to undertake emergency tutoring may have their program altered to accommodate the emergency tutoring hours. Where this is not possible payment for casual tutoring will apply.
- (e) Where a Tutor's program is altered it must be done in a way so that the Tutor does not suffer detriment in relation to working conditions. The Tutor must be credited with all tutorial duties undertaken in respect to the previous and amended program. The new program should not impose unreasonable demands in respect to time outside that previously scheduled for which the Tutor has prior commitments.

### **12.6 Work allocation - TAFE Services**

A TAFE Services 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**

TAFE Queensland may direct an employee to carry out duties that are within the particular employee's skill 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 TAFE Queensland's responsibilities to provide a safe and healthy working environment.

### **12.8 Recognition of qualifications - Support employees**

- (a) A Support 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 AO2, paypoint 1.
- (b) A Support 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 no less than classification level AO2, paypoint 7.
- (c) A Support employee appointed to classification level TO1 of the Technical stream who has obtained the prerequisite qualification shall be appointed to the minimum rate prescribed in classification level TO2 of that stream.

- (d) A TAFE Services employee appointed to classification level PO1 who has obtained the prerequisite qualifications shall be appointed to classification level PO2 of that stream and commence at the appropriate paypoint as set out hereunder:

Description	Paypoint
3 year qualification	1
4 year qualification	2
5 year qualification	3

- (e) A Support employee appointed to classification level PO1 who acquires or possesses qualifications higher than the minimum prerequisite qualifications (e.g. Honours, Masters and Doctorates) will commence at or progress to the appropriate paypoint as set out hereunder:

Description	Paypoint
4 year qualification	2
5 year qualification	3
6 year qualification	4
7 year qualification	5
8 year qualification	6

- (f) Nothing in clause 12.8 will prevent a Support employee from accessing the provisions of clause 12.2(c).

### **12.9 Movement between classification levels - Support employees**

- (a) Except as provided below, movement between classification levels will be based on appointment on merit to advertised vacancies.
- (b) Annual increments will continue to apply in accordance with the relevant provisions of clause 12.12 to Support employees moving between classification level AO1 and classification level AO2.
- (c) Movement of Support employees from classification level PO2/TO2 to classification level PO3/TO3 will be subject to:
- (i) the Support employee concerned having served at least 12 months on the maximum salary prescribed for classification level PO2/TO2; and
  - (ii) a recommendation from a selection panel that the applicant is worthy of promotion. The merit of the applicant is to be evaluated in relation to the prescribed criteria (see clause 12.10), where relevant, through:
    - (A) an assessment of a written application from the applicant; and
    - (B) an interview of the applicant; and
    - (C) a certificate addressing the prescribed criteria, from the director of the area in which the Support employee is working or a senior Support employee knowledgeable in the employee's capabilities, that the employee is worthy of promotion based on assessment of the employee.
- (d) Subject to clause 12.2(c), a Support 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.

## 12.10 Prescribed criteria for movement between classification levels - Support employees

### (a) Professional stream

Applicants for movement within the Professional stream from classification level PO2 to classification level PO3 shall be assessed by a selection panel on the following criteria:

- (i) Demonstrated professional expertise in one or more areas of a discipline as shown by:
  - (A) detailed knowledge of standard professional tasks;
  - (B) examples of modifications to standard procedures and practices and contributions to the development of new techniques and methodologies;
  - (C) professional contribution relevant to the discipline at a local level.
- (ii) Possession of postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.
- (iii) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
  - (A) original in-service presentations;
  - (B) published papers;
  - (C) active involvement in conferences and seminars;
  - (D) consultancies;
  - (E) recognition as a resource person who collects, collates and imparts knowledge in a particular area;
  - (F) preparation of significant internal reports.
- (iv) Demonstrated levels of performance and innovation through:
  - (A) a history of satisfactory performance;
  - (B) demonstrated high levels of efficiency and effectiveness;
  - (C) demonstrated high level of responsibility and initiative.

### (b) Technical stream

Applicants for movement within the Technical stream from classification level TO2 to classification level TO3 shall be assessed by a selection panel on the following criteria:

- (i) Demonstrated technical expertise in one or more areas of a discipline as shown by:
  - (A) detailed technical knowledge and experience;
  - (B) high levels of accuracy and precision in undertaking procedures;
  - (C) technical contribution at a local level.
- (ii) Possession of higher technical qualifications or developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.

- (iii) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
  - (A) original in-service presentations;
  - (B) published papers;
  - (C) active involvement in conferences and seminars;
  - (D) consultancies;
  - (E) recognition as a resource person who collects, collates and imparts technical knowledge in a particular area;
  - (F) preparation of significant internal reports.
- (iv) Demonstrated levels of performance and innovation through:
  - (A) a history of satisfactory performance;
  - (B) demonstrated high levels of efficiency and effectiveness;
  - (C) demonstrated high level of responsibility and initiative.

#### **12.11 Increments - Educators**

- (a) Except as otherwise provided in this Award, progression for Educators from one step to the next highest step will be by annual increments.
- (b) Notwithstanding anything contained elsewhere in this Award, an Educator is not entitled to move to the next salary increment level by virtue of this Award if the conduct, diligence, and efficiency of the employee has been certified to be unsatisfactory by the Chief Executive.
- (c) If any increase prescribed by this Award is withheld from or refused to be granted to any Educator, such Educator will be given an opportunity to show cause to the Chief Executive why such increase should not be withheld.

#### **12.12 Increments - TAFE Services**

Movement within classification levels for TAFE Services employees is based on meeting the following requirements:

- (a) Except in the case of a TAFE Services employee who is paid the prescribed base 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 the employee until:
  - (i) In the case of a full-time TAFE Services employee, the employee has received a salary at a particular classification level and paypoint for a period of 12 months.
  - (ii) In the case of a part-time TAFE Services employee:
    - (A) the employee has received a salary at a particular classification level and paypoint for a period of at least 12 months; and
    - (B) the employee has worked 1,200 ordinary hours in such classification level.
  - (iii) In the case of a casual TAFE Services employee with 12 months' **continuous service** with TAFE Queensland:

- (A) the employee has received a salary at a particular classification level and paypoint for a period of at least 12 months; and
- (B) the employee has worked 1,200 ordinary hours in such classification level.

For the purpose of clause 12.12(a)(iii), **continuous service** for a casual TAFE Services 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, a TAFE Services employee is not entitled to move to the next salary increment level by virtue of the Award unless:
  - (i) (A) in classification levels AO1, AO2, PO1, PO2, TO1 and TO2; and
  - (B) in classification levels OO1, OO2 and OO3,  
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.

#### **12.13 Performing higher duties - employees other than Tutors**

- (a) An employee 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 higher classification level within a different stream in 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 higher paypoint above their existing salary level within the classification level of the position being temporarily filled,whichever is higher.

#### **12.14 Performing higher duties - Tutors**

- (a) A Tutor who is directed to temporarily fill a position other than a Teacher position shall be paid extra remuneration as prescribed in clause 12.13.
- (b) A Tutor who is directed to temporarily fill a position as a Teacher will be qualified to do so.
- (c) Subject to clauses 12.14(a) and (b), a Tutor filling a Teacher position for more than three consecutive working days shall be paid extra remuneration:
  - (i) in the case of appointment following a merit selection process, salary will be based upon qualifications and experience as prescribed by this Award;
  - (ii) in all other cases, at classification level Teacher, step 4.
- (d) Non-attendance time should also be programmed at the rate of 0.524 hours for every hour of teaching. This is consistent with the 21/11 teaching ratio.

- (e) Higher duties allowance will consist of the relevant percentage of the difference between the Tutor's salary and the higher duties salary as defined above. **The relevant percentage** will be the percentage which represents the extent to which the Tutor has assumed the full duties and responsibilities of a Teacher. The relevant percentage will be calculated using the number of total programmed time hours divided by 32 and multiplied by 100.

### 12.15 Emergent staffing - Teachers

- (a) In emergent circumstances, TAFE Queensland and the relevant Union may agree that a Teacher be remunerated at any step of the Teacher classification level as set out in clause 12.3(a).
- (b) A Teacher may be paid as a Leading Vocational Teacher subject to having an approved teaching qualification.

### 12.16 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 9.

## 13. Allowances

### 13.1 Cash handling allowance

- (a) A Support employee appointed at classification level AO1 or classification level AO2 who occupies a cashier-type position and is personally responsible for any shortages that may occur shall be paid an allowance as set out below:

Average Daily Cash Received and/or Disbursed	Full-time Support Employee - Allowance Payable Per Fortnight \$	Part-time Support Employee - Allowance Payable Per Day \$
less than \$500	Nil	Nil
\$500 and up to and including \$2,499.99	25.60	2.56
\$2,500 and up to and including \$2,999.99	34.80	3.48
\$3,000 and up to and including \$3,499.99	41.00	4.10
\$3,500 and up to and including \$3,999.99	48.10	4.81
\$4,000 and up to and including \$4,499.99	53.20	5.32
\$4,500 and over	59.40	5.94

- (b) The allowances prescribed in clause 13.1(a) are not payable on approved paid or unpaid leave, excluding single day absences on paid sick leave, when absent from the position for whole day/s. In addition, such allowances will not be payable for public holidays falling on an ordinary working day except where the allowance is payable for those working days immediately prior to and after such public holiday.

### 13.2 Broken work allowance

Facilities and Operations employees who are 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 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 Facilities and Operations employees 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.

### 13.4 First-aid allowance

A TAFE Services employee holding a certificate in first-aid issued by the Queensland Ambulance Service or an equivalent qualification who is appointed in writing by the Chief Executive as a first-aid attendant/officer shall be paid an additional \$30.70 per fortnight which is to be treated as part of the ordinary fortnightly salary for the purposes of annual leave (but not loading on leave), sick leave, long service leave and all other paid leave.

### **13.5 Motor vehicle allowance**

- (a) Where TAFE Queensland 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; or
  - (ii) motorcycle - \$0.26 per kilometre.
- (b) TAFE Queensland may require an employee to record full details of all such official travel requirements in a log book.

### **13.6 Overtime meal allowances**

- (a) An Educator required to work beyond their normal programmed working hours, where the working of such time does not allow them to return to their residence for a meal, shall be provided with an adequate meal at TAFE Queensland's expense or paid a meal allowance of \$12.85 in lieu of the provision of such meal.
- (b) A TAFE Services employee working day work required to work overtime for:
  - (i) more than 1 hour before or after the ordinary starting or ceasing time on any normal working day; or
  - (ii) more than 4 hours on a Saturday, Sunday, scheduled day off, rostered day off or public holiday;

shall be provided with an adequate meal at TAFE Queensland's expense or paid a meal allowance of \$12.85 in lieu of the provision of such meal.

- (c) An Educator or Support employee, excluding a casual employee:
  - (i) required to continue or resume duty more than 1 hour after ordinary ceasing time and who cannot reasonably be expected to return to their residence for a meal; or
  - (ii) required to continue or resume duty more than 1 hour after completing 4 hours overtime and who cannot reasonably be expected to return to their residence for a meal;

and who has taken a meal break of 45 minutes, shall be provided an adequate meal at TAFE Queensland's expense or paid a meal allowance of \$21.40 in lieu of the provision of such meal.

- (d) A Support employee shift worker, excluding a casual employee:
  - (i) required to continue or resume duty more than 1 hour after completing a full overtime shift and who cannot reasonably be expected to return to their residence for a meal; or
  - (ii) required to continue or resume duty more than 2 hours after ordinary ceasing time on any normal working day;

and who has taken a meal break of 45 minutes, shall be provided with an adequate meal at TAFE Queensland's expense or paid a meal allowance of \$21.40 in lieu of the provision of such meal.

- (e) A Facilities and Operations employee working overtime in the circumstance mentioned in clause 13.6(b)(i) shall be entitled to take a 30 minute unpaid meal break at a time agreed between TAFE Queensland and the employee.



- (f) Where TAFE Queensland requires an employee to continue working for a further 4 hours of continuous overtime work in any of the situations mentioned in clauses 13.6(a) or (b), the employee shall be entitled to a 30 minute meal break and either provided with an adequate meal at TAFE Queensland's expense or paid an additional meal allowance of \$12.85.
- (g) 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.

### 13.7 Toilet cleaning allowance

A Facilities and Operations employee required to clean toilets connected with septic tanks or sewerage shall be paid an additional \$1.84 per day.

### 13.8 Uniforms and laundry allowance

- (a) Where the Chief Executive requires a TAFE Services employee to wear a uniform, the employee shall be supplied sufficient and suitable uniforms of good quality as approved by the Chief Executive. Uniforms shall be replaced on a fair wear and tear basis.
- (b) Where the Chief Executive requires a Support employee to wear a uniform but does not supply uniforms to the employee, TAFE Queensland shall pay to the employee an allowance of \$332 per annum or a *pro rata* equivalent in the first year of service and an allowance of \$164 per annum or a *pro rata* equivalent in respect to replacement uniforms during subsequent years.
- (c) A TAFE Services employee required to wear a uniform shall be entitled to have such uniform laundered without charge or to receive an allowance of \$9.00 per fortnight.

### 13.9 Locality allowances

An employee, excluding a casual employee, who is appointed to work at one of the following centres shall be paid an allowance as set out below:

Centre	Rate Per Fortnight With Dependants \$	Rate Per Fortnight Without Dependants \$
Atherton	72.80	36.40
Aurukun	326.80	163.40
Ayr	64.30	32.15
Bamaga	329.50	164.75
Barcaldine	115.70	57.85
Biloela	50.90	25.45
Blackwater	71.30	35.65
Bowen	43.40	21.70
Cairns	50.70	25.35
Callide/Dawson	53.60	26.80
Cannonvale	61.30	30.65
Charleville	86.50	43.25
Charters Towers	73.70	36.85
Cherbourg	47.10	23.55
Chinchilla	48.30	24.15
Clermont	101.80	50.90
Cloncurry	115.20	57.60
Coen	254.40	127.20
Cunnamulla	109.70	54.85
Dalby	14.00	7.00
Doomadgee	250.00	125.00

Centre	Rate Per Fortnight With Dependants \$	Rate Per Fortnight Without Dependants \$
Dysart	79.80	39.90
Emerald	66.60	33.30
Gayndah	28.00	14.00
Gladstone	27.50	13.75
Home Hill	67.40	33.70
Ingham	70.60	35.30
Innisfail	71.60	35.80
Kingaroy	21.60	10.80
Longreach	113.90	56.95
Mackay	29.00	14.50
Mareeba	67.00	33.50
Monto	34.30	17.15
Moranbah	60.00	30.00
Mornington Island	334.00	167.00
Mossman	68.30	34.15
Mount Isa	91.60	45.80
Mount Morgan	35.80	17.90
Murgon	32.50	16.25
Normanton	259.20	129.60
Palm Island	103.70	51.85
Rockhampton	26.60	13.30
Roma	46.70	23.35
St George	74.80	37.40
Stanthorpe	27.70	13.85
Tambo	133.70	66.85
Thursday Island	286.20	143.10
Townsville	43.40	21.70
Tully	94.80	47.40
Weipa	184.5	92.25
Yeppoon	34.30	17.15
Yorke Island	334.00	167.00

### 13.10 Payment of allowances

Payment of all allowances shall be made to Support employees on the appropriate pay day within 6 weeks following application by the TAFE Services employee.

### 13.11 Adjustment of monetary allowances

- (a) Other than the expense related allowances at clauses 13.5 (motor vehicle allowance), 13.6 (overtime meal allowances), 13.8 (uniforms and laundry allowance), the locality allowances in clause 13.9 and the Divisional and District parities at clause 13.3, 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 amounts in clauses 15.5 (payment for early or late work) and 34(d)(ii) (travel associated with delivery - educators) shall also be adjusted in the same manner and at the same time as monetary allowances are adjusted in accordance with clause 13.11(a).
- (c) At the time of any adjustment to the wage rates in this Award the expense related allowances at clauses 13.5 (motor vehicle allowance), 13.6 (overtime meal allowances) and 13.8 (uniforms and laundry 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</u> <u>(ABS Cat No. 6401.0 - Table 7)</u>
Motor vehicle allowance <i>(last adjusted 1 September 2014)</i>	Private motoring sub-group
Overtime meal allowance <i>(last adjusted 1 September 2016)</i>	Take-away and fast foods sub-group
Uniforms and laundry allowance <i>(last adjusted 1 September 2014)</i>	Clothing and footwear group

## 14. Superannuation

- (a) Subject to Commonwealth legislation and clause 14(b), TAFE Queensland must comply with superannuation arrangements prescribed in the *Superannuation (State Public Sector) Act 1990* (and associated Deed, Notice and Regulation).
- (b) 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 TAFE Queensland contributions are directed, TAFE Queensland will direct contributions to the appropriate fund as prescribed by the relevant State legislation.

## PART 5 - Hours of Work and Related Matters

### 15. Hours of duty

#### 15.1 Ordinary hours of duty - Educators

- (a) The ordinary hours of duty for Educators covered by this Award, exclusive of meal breaks, will be a maximum of 36.25 hours per week, 9 hours per day and 5 consecutive days or other hours as recorded in the table below.
- (b) The maximum ordinary programmed hours of work will be 32 hours per week, as recorded in the table below:

<b>Classification or Group</b>	<b>Maximum Prescribed Ordinary Programmed Hours of Work Per Week</b>	<b>Maximum Ordinary Programmed Hours of Work Per Week by Agreement</b>
(i) <b>Tutors</b> <ul style="list-style-type: none"> <li>• Contact time</li> <li>• Non-contact time</li> </ul>	24 8	28 4
(ii) <b>Teachers and Leading Vocational Teachers</b> <ul style="list-style-type: none"> <li>• Contact time</li> <li>• Non-contact time</li> </ul>	21 11	25 7

- (c) The nature of the duties to be performed between 32 hours per week and 36.25 hours per week is at the discretion of the Educator. Such discretion will be reasonably exercised.
- (d) Contact time for Teachers and Leading Vocational Teachers who are required to teach more than three different course areas and three discrete subject areas will be a maximum of 18 hours per week.
- (e) Tutors who are required to Tutor in more than three different course areas and three discrete subject areas in the Lecture/Tutorial model, or in formal class situations where they are required to undertake research and/or preparation (of similar proportion to the non-contact time allocated), will be programmed:
- (i) a maximum of 21 hours' contact time per week; and
  - (ii) 0.524 of an hour non-contact time, rounded up to the nearest quarter of an hour, for each hour of face to face tutoring with a group of students.
- (f) Casual Educators will not exceed 12 hours' contact time per week.
- (g) No Educator will be required to commence duty less than 10 hours after the conclusion of the previous period of duty.
- (h) A Teacher/Leading Vocational Teacher involved in flexible learning, work-based delivery, workplace supervision, workplace assessment, other non-traditional delivery or recognition of prior learning, who undertakes hours that are not compatible with traditional modes of classroom delivery, will be timetabled so as not to exceed 32 programmed hours per week. Any flexible delivery in addition to 32 programmed hours will be treated as overtime.
- (i) Educators will not be required to commence duty more than once on any one day.
- (j) Programs should clearly indicate the contact time required of Tutors.
- (k) Where Tutors are programmed on a continuing basis (i.e. a regular/set program of one week or more) such agreed programmed hours will not be changed without mutual consent and one week's notice by the General Manager.

## 15.2 Ordinary hours of duty - TAFE Services

- (a) Subject to clauses 15.2(b) and (c) and clause 15.7(b), the ordinary hours of duty for all TAFE Services employees, exclusive of meal breaks, will be an average of 36.25 hours per week and 7.25 hours per day, with a maximum of 9.5 hours per day or other hours as recorded in the table below:

Description	Ordinary Hours of Work Per Week	Maximum Ordinary Hours of Work Per Day
(i) Librarian, Library Assistant and Library Technician	36.25	7.25
(ii) Groundsperson, Team Leader - Operations, Facilities Manager  (*Subject to agreement between TAFE Queensland and the TAFE Services employee or employees concerned).	38	10*

Description	Ordinary Hours of Work Per Week	Maximum Ordinary Hours of Work Per Day
(iii) Facilities and Operations employees (including: agricultural assistant; assistant infrastructure co-ordinator; building co-ordinator; campus co-ordinator; carpenter; chef; cleaner; cleaning co-ordinator; cleaning team leader; disability coach; disability support worker; distribution co-ordinator; driver; electrician; engineering tradesperson; facilities officer; facilities support officer; fitter; general hand; general hand/bus driver; inventory officer; kitchen assistant; kitchenhand; kitchen manager; kitchen storeperson; kitchen supervisor; laboratory assistant; maintenance co-ordinator; maintenance fitter; maintenance operative; maintenance supervisor; operational coach; operational officer; operations assistant; operations co-ordinator; printing officer; security officer; senior assets officer; store person; stores officer; student services)  (*Subject to agreement between TAFE Queensland and the TAFE Services employee or employees concerned).	38	10*

- (b) The ordinary hours of duty for TAFE Services employees working 38 hours per week and listed in the table in clause 15.2(a) are to be worked on a maximum of five days each week on one of the following bases as agreed between TAFE Queensland 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 15.2(a), TAFE Queensland and a TAFE Services employee or groups of TAFE Services employees may agree that the ordinary hours of work are to exceed 8 hours on any day, thus enabling more than one rostered day off to be taken off during a particular work cycle.
- (d) Different methods of working 38 hours per week may apply to a TAFE Services employee or groups of TAFE Services employees in each location concerned.
- (e) Rostered day off
- (i) TAFE Queensland is to allow Facilities and Operations employees access to at least one rostered day off in any work cycle unless TAFE Queensland and the TAFE Services employee otherwise agree.
  - (ii) Where the arrangement of ordinary hours of work provides for a rostered day off, TAFE Queensland and a TAFE Services employee and/or the majority of TAFE Services employees concerned may agree to accrue up to a maximum of five rostered days off. Consent to accrue rostered days off shall not be unreasonably withheld by either party.

- (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.
- (f) Notwithstanding the provisions of clauses 15.2(a) and (b), by mutual agreement between TAFE Queensland and a TAFE Services employee and/or the majority of TAFE Services 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 TAFE Queensland and the 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 TAFE Services 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, a TAFE Services 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 15.2(g)(i).

### 15.3 Spread of hours - Educators

- (a) The spread of ordinary hours of duty shall be 0800 to 2100 Monday to Friday and 0800 to 1800 on Saturday. Any work performed on Saturday will be by mutual agreement.
- (b) Where particular circumstances related to the requirements of a course dictate, classes may be programmed before 0800 and up to 2200.
- (c) The ordinary starting and finishing times of an Educator or group of Educators may be staggered subject to agreement between TAFE Queensland and the Educator or the majority of Educators concerned. Agreement to stagger starting and finishing times of an Educator or group of Educators will not be unreasonably withheld.
- (d) An Educator is required to observe the nominated starting and finishing times for the work day including designated breaks to maximise available working time.

### 15.4 Spread of hours - TAFE Services

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

Description	Spread of Ordinary Hours
(i) Librarian Library Assistant Library Technician	By mutual agreement an afternoon shift commencing at or after 1200 and continuing beyond 1800 may be worked by a Librarian, Library Assistant or a Library Technician as part of a roster for ordinary hours 0600 to 1800, Monday to Sunday. Such afternoon shifts may be worked on an ongoing basis or on an ad hoc basis
(ii) Groundsperson Team Leader - Operations Facilities Manager	0600 to 1800, Monday to Sunday

Description	Spread of Ordinary Hours
(iii) Cleaner who attends work twice daily	0600 to 2100, Monday to Sunday
(iv) Chef and Kitchenhand	0500 to 2100, Monday to Sunday

- (b) The ordinary starting and finishing times of a TAFE Services employee or group of employees may be staggered subject to agreement between TAFE Queensland and the TAFE Services employee or TAFE Queensland and the majority of employees concerned. Agreement to stagger starting and finishing times of a TAFE Services employee or group of employees will not be unreasonably withheld.
- (c) Starting and finishing times may be altered to suit geographic, safety, climatic or traffic conditions by TAFE Queensland with the agreement of the majority of TAFE Services 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) Each TAFE Services employee is 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 TAFE Services employee's time.

#### **15.5 Payment for working ordinary hours - Educators**

- (a) Ordinary hours of duty programmed before 0800 or after 1800 Monday to Friday, or on a Saturday, shall be treated as follows:
  - (i) by payment of \$30.05 per hour for Teachers/Leading Vocational Teachers and \$16.60 per hour for Tutors in addition to the ordinary hourly rate of pay; or
  - (ii) by calculating the actual time worked at the rate of one and one-half times for the purpose of recognising the teaching/tutoring contact time hours (referred to as computed time) recorded in clause 15.1(b).
- (b) The method of compensation under clause 15.5(a) is to be determined at the beginning of the course/semester by mutual agreement, except for Saturday work where the Educator may nominate the preferred method of compensation. Neither party will unreasonably withhold agreement.
- (c) Where non-contact time is performed outside the hours of 0800 to 1800 Monday to Saturday, arrangements will be by mutual agreement.

#### **15.6 Payment for working ordinary hours - TAFE Services**

- (a) The ordinary hours of duty performed by a TAFE Services employee within the spread of ordinary hours of duty prescribed in clause 15.4 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 27.1.
- (b) Notwithstanding the provisions of clause 15.6(a), ordinary hours of duty performed by a Cleaner between 0000 and 2400 on Sunday shall be paid at the rate of time and three-quarters.

- (c) The extra payments prescribed in clause 15.6 will not apply where a TAFE Services employee works on a rostered day off or a scheduled day off in accordance with the provisions of clauses 18.3(d) and (e).

#### **15.7 Shift work arrangements - TAFE Services**

- (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 majority of TAFE Services 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 TAFE Queensland and the majority of TAFE Services employees directly affected.
- (c) A roster setting out each TAFE Services employee's days of duty and starting and finishing times on such days shall either be displayed in a convenient place or made available electronically to TAFE Services 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 TAFE Queensland and the TAFE Services employee concerned but failing agreement 24 hours' notice of any change in the roster must be given by TAFE Queensland or double time is to be paid for the employee's next shift.
- (f) The payment referred to in clause 15.7(e) shall not be applicable to a Facilities and Operations employee where rosters are changed due to emergent circumstances.
- (g) Subject to meeting operational requirements, rostered shifts may be mutually exchanged between TAFE Services employees provided such exchange occurs within the same pay period.

#### **15.8 Payment for working shift arrangements - TAFE Services**

- (a) Subject to clauses 15.8(c) and (e) all TAFE Services employees who work 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) A Support employee who commences a shift before 0600, Monday to Friday inclusive, shall be paid an additional allowance of 15% for all ordinary time worked prior to 0600.
- (c) A part-time or casual Support employee who commences work at or after 1200 and ceases work at or before 1800 will not be regarded as having worked an afternoon shift.
- (d) Subject to clause 15.8(e) 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 27.1.
- (e) The payments prescribed in clauses 15.8(a) and (d) 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.

#### **15.9 Staff meetings - Educators**

- (a) Notwithstanding the provisions of clauses 15.1(b) and (c), the maximum ordinary programmed time may be extended by up to half an hour per week or one hour per fortnight by the Faculty Director to provide for a staff meeting to be held outside the maximum ordinary programmed time.
- (b) Any such meeting would normally be held immediately prior to or following contact or non-contact time or during a lunch break.

#### **15.10 Absence from duty - Educators**

- (a) Where an Educator has reduced programmed hours in a week due to:
  - (i) professional development in accordance with clause 37 of this Award;
  - (ii) industrial relations education leave;
  - (iii) personal leave;
  - (iv) special leave with pay;
  - (v) public holidays; or
  - (vi) any other leave entitlement in accordance with this Award,the time absent will not be required to be made up, with the original work program remaining in force less the specific absence.
- (b) By agreement between an Educator and the General Manager, the employee may work all or a portion of programmed hours in which they were absent on sick leave, thereby reducing the sick leave account debit which would otherwise have been made.

#### **15.11 Organisational (flexible) hours of work arrangements - day workers, TAFE Services**

- (a) Notwithstanding the provisions of clauses 8.2, 15.2, 15.5 and 15.6, respectively, the provisions of clause 15.11 and Schedule 8 provide a framework within which organisational (flexible) hours of work arrangements and related conditions can be implemented with the express purpose of providing all eligible TAFE Services employees with access to an accrued full day/s off within a work cycle. However, nothing will limit the ability of the Chief Executive and a TAFE Services employee to agree to access accrued time in part-days off.
- (b) For the purposes of clause 15.11(a), **eligible TAFE Services employees** are:
  - (i) those TAFE Services employees whose ordinary weekly hours are 36.25 hours per week; and
  - (ii) part-time TAFE Services employees whose ordinary hourly rate is based upon 36.25 hours per week for equivalent full-time TAFE Services employees and who are engaged in a role

where operational requirements allow for the application of organisational (flexible) hours of work arrangements. Examples of where operational requirements would preclude the application of such organisational (flexible) hours of work arrangements to part-time TAFE Services employees include:

- (A) filling in spaces on a roster;
  - (B) replacing TAFE Services employees absent on leave or accrued days off; or
  - (C) covering peak workload periods or client service requirements at specific times.
- (c) Notwithstanding the provisions of clause 15.11(b), organisational (flexible) hours of work arrangements are not available to:
- (i) TAFE Services employees working shift work; and
  - (ii) casual TAFE Services employees.
- (d) Organisational (flexible) hours of work arrangements are to be implemented in accordance with the provisions of Schedule 8.

## **16. Meal break**

### **16.1 Meal breaks - Educators**

An Educator who works in excess of 4 hours on any day shall be allowed not less than 45 minutes for an unpaid break.

### **16.2 Meal breaks - TAFE Services**

- (a) A TAFE Services employee who works 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.
- (b) Where it is mutually agreed between TAFE Queensland and a TAFE Services 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 TAFE Services employee's salary.
- (c) Where a Facilities and Operations employee is directed to work through their normal meal 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 TAFE Queensland and the majority of TAFE Services employees concerned.

### **16.3 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**

- (a) All employees are entitled to a paid rest pause of 10 minutes duration in TAFE Queensland'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 three hours but less than six ordinary hours in any day; or
  - (ii) a total of 20 minutes for an employee who works for at least six ordinary hours in any day.

- (b) Where a Support employee is engaged to work 38 hours per week TAFE Queensland may determine that the rest pauses may be combined into one 20 minute rest pause to be taken in the first part of the ordinary working day with the 20 minute rest pause and the meal break arranged in such a way that the ordinary working day is broken into approximately three equal working periods.
- (c) Where a Facilities and Operations employee is required to leave their work place to partake of rest pauses in a crib hut or lunch room they may, at TAFE Queensland's discretion, be required to have one rest pause of 20 minutes duration in the first part of the working day.
- (d) 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 - Educators**

- (a) The overtime rate for a Teacher/Leading Vocational Teacher is calculated by dividing the fortnightly salary of classification level Teacher, step 4 by 42 and adding 23% for engagements within the spread of hours. This hourly rate includes payment for programmed time.
- (b) The overtime rate for a Tutor is calculated by dividing 70% of the fortnightly salary of classification level Teacher, step 4 by 64 and adding 23% for engagements within the spread of hours.
- (c) All forms of overtime that result in either the payment of overtime rates of pay or the accumulation of time off in lieu must be approved in advance by the General Manager.
- (d) No claim for overtime will be approved where an Educator elects to work solely for their own benefit or convenience. Overtime rates of pay represent the contact time hours only as the hourly rate is inclusive of all non-contact time.
- (e) An Educator who receives compensation of overtime for work performed in excess of the maximum prescribed ordinary contact-time hours of work per week cannot also receive compensation of overtime for work performed in excess of 32 hours' programmed time per week, i.e. there is to be no double counting.
- (f) For work performed in excess of up to 21-25 hours of agreed contact time or 21 hours' contact time where no agreement exists, a Teacher/Leading Vocational Teacher may elect to be compensated by payment of the additional hours at the overtime rate of pay or accumulate time off in lieu on the basis of time for time.
- (g) Subject to those Teachers/Leading Vocational Teachers whose program emphasis is on non-contact time duties rather than contact time duties, full-time Teachers/Leading Vocational Teachers who in a particular week have not been programmed for 21 hours' contact time (or an approved workload equivalent) are not eligible for overtime until they work in excess of 21 hours' contact time (or their approved equivalent).
- (h) In circumstances where a Teacher/Leading Vocational Teacher volunteers to exceed 25 hours' contact time in a week, overtime automatically applies for the contact time in excess of 25 hours, irrespective of the total weekly workload.
- (i) For work performed in excess of the 32 hours' programmed time, an Educator may elect to be compensated by payment of the additional hours at the overtime rate of pay or accumulate time off in lieu on the basis of time for time.

- (j) For work performed in excess of up to 24-28 hours of agreed contact time or 24 hours' contact time where no agreement exists, a Tutor may elect to be compensated by payment of the additional hours at the overtime rate of pay or accumulate time off in lieu on the basis of time for time.
- (k) Subject to those Tutors whose program emphasis is on non-contact duties rather than contact duties, full-time Tutors who in a particular week have not been programmed for 24 hours' contact time (or an approved workload equivalent) are not eligible for overtime until they work in excess of 24 hours' contact time (or their approved equivalent).
- (l) In circumstances where a Tutor volunteers to exceed 28 hours' contact time per week, overtime automatically applies for the contact time in excess of 28 hours, irrespective of the total weekly workload.
- (m) For work performed on a Saturday an Educator shall be paid at one and one-half times the overtime rate of pay as defined in clause 18.1(b) and (c).
- (n) For work performed on a Sunday an Educator shall be paid at double the overtime rate of pay as defined in clauses 18.1(b) and (c).
- (o) For work performed on a public holiday an Educator shall be paid at the rate prescribed in clause 27.1.

## **18.2 Overtime - TAFE Services**

- (a) A Support employee who is appointed to or is relieving in a position which attracts a salary above that prescribed for a TAFE Services employee in classification level AO5, paypoint 4 is not entitled to be compensated at overtime rates.
- (b) Nothing in clause 18.2(a) is to be taken to prevent the Chief Executive from exercising their discretion to make overtime payments to a TAFE Services employee who would otherwise be exempted from being entitled to be compensated at overtime rates.
- (c) A TAFE Services employee receiving a salary above that prescribed in clause 18.2(a) will be entitled to time off in lieu, equivalent to the amount of additional hours worked, on a time for time basis.
- (d) Subject to clause 18.2(a) a TAFE Services employee receiving higher duties payments in accordance with clause 12.13 is entitled to be paid for all authorised overtime at the rate applicable to the classification level and paypoint of the position being temporarily filled.
- (e) A TAFE Services employee shall work reasonable overtime whenever necessary in the opinion of the Chief Executive, but 24 hours' notice shall be given, where practicable, to a TAFE Services employee required to work overtime.
- (f) Overtime is to be calculated to the nearest quarter of an hour.

## **18.3 Payment for overtime - day workers, TAFE Services**

Except as provided in clauses 8.2, 18.2, 18.3, 18.5(b) and Schedule 8:

- (a) All authorised overtime worked by a TAFE Services employee in excess of their ordinary daily hours of duty or outside their spread of ordinary working hours on a Monday to Friday, inclusive, 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 a TAFE Services 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 a TAFE Services 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 a Facilities and Operations employee on the employee's rostered day off or first or third scheduled day off during a work cycle 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 a Facilities and Operations 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 a TAFE Services employee on a public holiday shall be paid at the rate prescribed in clause 27.1.
- (g) The minimum payments provided in clauses 18.3(b), (c), (d) and (e) shall not apply where such overtime is performed immediately preceding or following ordinary hours.

#### **18.4 Payment for overtime - shift workers, TAFE Services**

- (a) Subject to the exceptions recorded elsewhere in this Award, 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 27.1.

#### **18.5 Time Off In Lieu**

##### **(a) Time off in lieu - Educators**

- (i) Time off in lieu is recognised as time for time compensation for overtime work performed. Time off in lieu is used as an alternative to payment of overtime rates. When an Educator is negotiating for the prior approval of time off in lieu, in accordance with clause 15.5(b), such time should represent the actual time taken to perform the task/s concerned, including preparation. However, limitations are to apply in terms of how much time off in lieu can be accrued and when unused portions of time off in lieu will be paid out. The following limitations are to apply:

(A) any unused balance of time off in lieu is to be paid out at the commencement date of each semester (six monthly); and

(B) where time off in lieu balances reach 40 hours, then all balances are to be paid out.

- (ii) Educators are encouraged to avail themselves of accumulated time off in lieu when teaching/tutoring commitments are low.

- (iii) Time off in lieu is paid at the ordinary hourly rate of the Educator concerned.

- (iv) Where a Tutor accrues time off in lieu whilst relieving in higher duties in a teaching position and is subsequently paid out due to an inability to take the time off as a Teacher, the Tutor will have such accruals converted at a rate of 1.14 to each hour accrued while relieving as a Teacher, prior to payment being made at the Tutor rate of pay.

- (v) Time off in lieu may be programmed for Educators or teaching teams according to teaching/tutoring requirements.

##### **(b) Time off in lieu - TAFE Services**

- (i) In lieu of the provisions in clauses 18.3 and 18.9, Support employees may elect to be compensated for overtime by time off in lieu.
- (ii) A Librarian, Library Assistant or Library Technician may be compensated for overtime worked on a Saturday or Sunday as time off in lieu by mutual agreement between TAFE Queensland and the employee concerned.
- (iii) Time off in lieu accrued as prescribed in clause 18.5(b), will be taken within 12 months of the day on which the overtime was worked, with any time off in lieu not taken within that time to lapse.

#### **18.6 Recall to duty, other than from on call - TAFE Services**

- (a) Subject to clause 18.6(c), a TAFE Services employee (other than a TAFE Services employee on call) having been recalled to perform duty is to 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 TAFE Services 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) The minimum payments prescribed in clause 18.6(a) will not apply:
  - (i) in cases where it is customary for a TAFE Services employee to return to the job site out of hours to perform a specific task; or
  - (ii) where the overtime worked is continuous (subject to prescribed meal breaks) with the completion or commencement of ordinary working hours.
- (d) Time worked in clause 18.6(a) is to be calculated from the time of commencement to the cessation of duty at the TAFE Services employee's normal place of work or other designated place.

#### **18.7 Transport costs on recall - TAFE Services**

Where a TAFE Services employee is recalled to perform work during an off duty period the TAFE Services employee will be provided with transport to and from their place of residence or be refunded the cost of such transport.

#### **18.8 On call, additional payments - TAFE Services**

- (a) Where a TAFE Services employee is instructed to be available on call outside ordinary or rostered working hours the TAFE Services employee shall be paid, in addition to their ordinary weekly rate of pay, an allowance based upon the hourly rate of the classification of **classification level PO3, paypoint 4** in accordance with the following scale:
  - (i) where a TAFE Services employee is on call throughout the whole of a rostered day off, the whole of a scheduled day off, an accrued day off or a public holiday: 95% of the prescribed hourly rate;
  - (ii) where a TAFE Services employee is on call during the night only of a rostered day off, scheduled day off, an accrued day off or public holiday: 60% of the prescribed hourly rate; and
  - (iii) where a TAFE Services 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 18.8(a) a **night** for a Support employee is deemed to consist of those hours falling between 1700 and 0800 or mainly between such hours.
- (d) For the purpose of clause 18.8(a) a **night** for a Facilities and Operations employee is deemed to consist of those hours falling between 1900 and 0600 or mainly between such hours.
- (e) Any on call roster implemented by TAFE Queensland will be by agreement between the Chief Executive, the majority of affected TAFE Services employees, and the relevant Union/s. Agreement to implement on call arrangements will not be unreasonably withheld.

#### **18.9 Recall to duty, from on call - TAFE Services**

- (a) **Monday to Friday** - a TAFE Services employee on call being recalled to perform duty shall be paid for the time worked at the overtime rate prescribed in clauses 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** - a TAFE services 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 clauses 18.2, 18.3, or 18.4 with a minimum payment as for 2 hours' work inclusive of travelling time from home and return or, at the TAFE Services employee's option, be granted time off in lieu at a mutually convenient time equivalent to the number of hours worked.
- (c) **Public holiday** - a TAFE Services 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 27.1 with a minimum payment as for 4 hours' work inclusive of travelling time from home and return or, at the TAFE Services employee's option, be granted time off in lieu at a mutually convenient time equivalent to the number of hours worked. A TAFE Services employee who is granted equivalent time off in lieu will also be paid at half the ordinary rate for the time so worked with a minimum payment as for 4 hours' work.
- (d) A TAFE Services employee on call who undertakes duties without the need to leave their place of residence will 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 clauses 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 18.9(d)(i)) payment at the overtime rate prescribed in clauses 18.2 or 18.3 or 18.4 for the actual time worked with a minimum payment of one hour for each time the TAFE Services employee performs such duties. Should such employee be recalled again to perform duties separately within the minimum one hour period, no further minimum 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 18.9(d)(i) and (ii), respectively, for subsequent verification by the Chief Executive.

- (e) Any overtime payable in accordance with clause 18.9 shall be in addition to the on call allowances prescribed in clause 18.8(a).

#### **18.10 Fatigue leave/rest period after overtime - TAFE Services**

- (a) A TAFE Services 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 will 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 TAFE Queensland, a TAFE Services 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 will 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) The provisions of clause 18.10 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;
  - (ii) when a shift worker does not report for duty; or
  - (iii) where a shift is worked by arrangement between the TAFE Services employees themselves.
- (d) Clause 18.10 does not apply to a TAFE Services employee:
  - (i) who resides or remains on or about their place of work and is required to perform duties on an intermittent basis outside their ordinary hours of duty; or
  - (ii) who works less than 2 hours when recalled to duty, inclusive of travelling time, on one or more recalls.

#### **18.11 Restrictions regarding on call arrangements - TAFE Services**

Where practicable the Chief Executive will not require a TAFE Services employee to be continuously available on call for a period in excess of 6 weeks.

#### **18.12 Meal breaks on overtime**

All employees who work overtime are entitled to meal breaks and, where relevant, meal allowances as prescribed in clause 13.6.

### **19. Non-attendance time - Educators**

- (a) Educators, excluding casual employees, are entitled to 5 weeks' non-attendance time for each completed calendar year of service with TAFE Queensland.
- (b) As a guide, the allocation, programing and approval of non-attendance time will facilitate the opportunity for employees to prepare all necessary work required prior to the commencement of education delivery.
- (c) The entitlement to non-attendance time will be on a *pro rata* basis for part-time employees and employees who have completed less than a calendar year of service.
- (d) Non-attendance time will be approved at the discretion of the General Manager, ensuring:
  - (i) the efficient operation of the Region, courses and programs;



- (ii) the teaching team is consulted; and
  - (iii) the period of non-attendance time to be taken will provide the employee with the opportunity to complete preparation prior to the commencement of delivery.
- (e) The General Manager may decide when an employee is to take non-attendance time and will provide the employee with a minimum of 4 weeks' notice or a lesser period by agreement.
  - (f) A minimum of one week's non-attendance time will be taken up to a maximum of 4 weeks at any one time.
  - (g) A minimum of 2 periods of non-attendance time will be taken per year separated by a maximum of 21 weeks.
  - (h) Non-attendance time and annual leave may be taken concurrently, up to a maximum of 8 weeks, in any one period.
  - (i) Non-attendance time is exclusive of any public holiday that falls during a period of non-attendance time taken by an employee.
  - (j) The General Manager will ensure employees are provided with the teaching program/s prior to the commencement of non-attendance time.
  - (k) An Educator may defer a maximum of 2 weeks' non-attendance time to the next calendar year by agreement made at least 2 weeks prior to commencement of the next calendar year. Any deferred non-attendance time not taken within 6 months of the new calendar year will be forfeited.
  - (l) On termination of employment, an employee shall be paid the equivalent of any *pro rata* non-attendance time that has not been taken during the calendar year.

## 20. Class sizes - Educators

- (a) The accepted student/Tutor ratio is 15:1 and Tutors may be required to conduct tutorial classes for a minimum of one hour duration.
- (b) The accepted student/Teacher (including Leading Vocational Teacher) ratio will be as recorded in the table below:

Description	Ratio
(i) Theory	28:1
(ii) Workshop/Laboratory (excluding computer based training)	14:1
(iii) Butchering and Wood Machining	7:1 or 8:2
(iv) Live work	7:1
(v) Life Skills	14:1
(vi) Computing/Typing	14:1
(vii) Adult Literacy Beginners	10:1
(viii) Adult Literacy Intermediate	14:1
(ix) English for Migrant Beginners	7:1
(x) English for Migrants Intermediate	14:1
(xi) English for Migrants Advanced	20:1
(xii) Students with Specific Learning Disabilities	5:1
(xiii) Hearing Impaired Students	7:1
(xiv) Theory for Associate Diploma and Diploma Courses	*60:1
(*Maximum of 10 hours per week teaching in excess of 30:1)	

- (c) Class sizes may be varied by agreement, after consultation between TAFE Queensland, the employee and the relevant Union/s, and due consideration of:
  - (i) safety hazards or risks to students and employees;
  - (ii) limitations in accommodation and/or equipment;
  - (iii) students with disabilities and/or learning difficulties;
  - (iv) the provisions of the *Workplace Health and Safety Act 2011*;
  - (v) the conduct of special programs, including: modular training, access programs, community education programs and compensatory programs; and
  - (vi) mode of delivery.

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

### **21. Annual leave**

Annual leave is provided for in Division 3 of the QES. Clauses 21.1 to 21.7 supplement the QES.

#### **21.1 Period of annual leave**

In lieu of the requirements prescribed at sections 71EA(1)(b) and (6) of the Act, a shift worker covered by this Award shall be entitled to 5 weeks annual leave.

#### **21.2 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 leave provided.
- (b) A 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 higher.
- (c) The annual leave loading payable under clause 21.2(a)(ii) and (b)(ii) will be paid in December of each year.

#### **21.3 Broken leave**

By agreement between TAFE Queensland and an employee annual leave may be taken in broken periods.

#### **21.4 Christmas/New Year closure - TAFE Services**

- (a) Where a TAFE Queensland campus or office is compulsorily closed over the Christmas/New Year period, TAFE Services 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 21.4(a), **concessional day** means any day upon which a TAFE Services 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 TAFE Queensland determines.
- (c) Notwithstanding the provisions of clause 21.4(a), TAFE Queensland and a TAFE Services employee may agree that the employee may access any accrued rostered day/s off, accrued day/s off or time off in lieu during a compulsory Christmas closure period instead of having their annual leave entitlement debited.

#### **21.5 Accrual of annual leave - Educators**

- (a) Educators, excluding casual employees, will accrue annual leave at the rate of 1.667 days each month of service up to a maximum accumulation of 26 working days.
- (b) Employees required to perform their duties for a period in excess of one calendar month at a Region or campus which is located north of the 16th parallel of south latitude and west of 144 degrees of east longitude, and including Charleville, and those further centres which may be approved by TAFE Queensland, will accrue annual leave at the rate of 2.084 days each month of service up to a maximum accumulation of 36 working days.
- (c) Any balance of leave not availed of shall be taken into account when determining an employee's next leave entitlement accrued in accordance with the provisions of clauses 21.5(a) and (b).
- (d) Subject to clause 21.5(e), annual leave may be taken in minimum periods of one day and up to the total of accrued leave at the date of commencement of such leave.
- (e) A minimum of seven working days of annual leave shall be taken by all employees to coincide with the Christmas/New Year closure of a Region.

#### **21.6 Taking annual leave**

- (a) Applications for annual leave are to be made in writing in a form determined by TAFE Queensland.
- (b) Notwithstanding that an employee has an entitlement to annual leave, such leave will, subject to the exigencies of any particular situation, be approved and taken at organisational convenience.
- (c) An employee may be directed to take annual leave upon the employee having accrued the maximum accumulation permitted in accordance with clauses 21.6(a) and (b), with at least 14 days' written notice of the starting date of the leave.

#### **21.7 Cancellation and deferral of annual leave**

- (a) An employee may be recalled from annual leave. An employee so recalled will be granted a minimum of 0.5 day's credit. Where an employee is recalled for a period in excess of 3 hours on any one day, one day's credit will be granted.

- (b) Annual leave previously approved may be cancelled by the General Manager and deferred to be taken at the earliest opportunity mutually convenient to TAFE Queensland and the employee.

## **22. 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 TAFE Queensland, 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 TAFE Queensland.

## **23. 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) Clauses 23.1 to 23.3 supplement the QES.

### **23.1 Taking parental leave**

- (a) 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.
- (b) 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 TAFE Queensland, may request to work part-time or other flexible work arrangements.
- (c) 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.

### **23.2 Return to work from parental leave**

- (a) 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.

- (b) If the position mentioned in clause 23.2(a) 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.
- (c) TAFE Queensland must make a position to which the employee is entitled available to the employee.

### **23.3 Paid parental leave**

An employee, excluding a short-term casual employee, who has 12 months of unbroken, continuous service is entitled to:

- (a) 14 weeks' paid maternity, adoption or surrogacy leave for the mother or primary care-giver, to be taken as initial absence on the approved parental leave;
- (b) a total of one week's paid pre-natal, pre-adoption or pre-surrogacy leave for the mother or primary care-giver;
- (c) one week paid spousal or secondary caregiver leave; and
- (d) a total of one day paid pre-natal, pre-adoption or pre-surrogacy leave for an employee who is a spouse or secondary caregiver.

## **24. Long service leave**

- (a) Long service leave, including for casuals, is provided for in Division 6 of the QES. Clause 24(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.

## **25. Domestic violence leave**

Employees are entitled to 10 days' domestic violence leave on full pay to attend to matters arising from domestic and family violence.

## **26. Special leave**

- (a) Employees, excluding casual employees, are entitled to 5 days' special leave with pay per year for any purpose determined appropriate by TAFE Queensland.
- (b) Notwithstanding, clause 26(a), the Chief Executive may approve more than 5 days' special leave on full pay per year.
- (c) Employees are entitled to special leave without pay for any duration and purpose determined appropriate by TAFE Queensland.

## **27. Public holidays**

Public holidays are provided for in Division 7 of the QES. Clauses 27.1 to 27.5 supplement the QES provisions.

### **27.1 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 27.1(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 27.1(a)(ii) 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 27.1 shall be calculated on a majority of shift basis (see the examples at clause 15.8(e)).

#### **27.2 Equivalent time off**

- (a) Subject to clause 27.1, 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 TAFE Queensland.
- (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.

#### **27.3 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 the 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 27.1.

#### **27.4 Employees who do not ordinarily work Monday to Friday of each week - TAFE Services**

- (a) TAFE Services employees (other than casual employees) who do not ordinarily work Monday to Friday of each week are entitled to public holidays as follows:
  - (i) either payment for each public holiday or a substituted day's leave;

- (ii) where a public holiday would have fallen on a Saturday or a Sunday (e.g. Australia Day) but is substituted for another day, all employees who would ordinarily have worked on such Saturday or Sunday but who are not rostered to work on such day are entitled to payment for the public holiday or a substituted day's leave.
- (b) Where Christmas Day falls on a Saturday or a Sunday and the public holiday is observed on another day, a TAFE Services employee required to work on Christmas Day (i.e. 25 December) is to be paid at the rate of double time.
- (c) For the purpose of clause 27.4(a) **payment for each public holiday and a substituted day's leave** means:
  - (i) for employees whose ordinary hours are 38 hours per week: 7.6 hours at ordinary rates;
  - (ii) for all other employees: 7.25 hours at ordinary rates;
  - (iii) for part-time employees: the number of ordinary hours normally worked on the same day of the week on which the holiday falls.
- (d) Nothing in clause 27.4 confers a right to any TAFE Services employee to payment for a public holiday as well as a substituted day in lieu.

#### **27.5 Rostered day off on a public holiday - TAFE Services**

- (a) A TAFE Services employee (excluding 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 TAFE Queensland and the employee, be granted a day's holiday in lieu at a time to be mutually agreed, including by taking it in conjunction with annual leave.
- (b) For the purpose of clause 27.5(a), **additional day's wage** and **a day's holiday in lieu** has the same meaning as comparable words defined in clause 27.4(c).
- (c) All hours worked by a shift worker on a public holiday shall be paid for at the rate prescribed in clause 27.1 and be calculated on a majority of shift basis (see the examples at clause 15.8(e)).
- (d) Nothing in clause 27.5 confers a right to any TAFE Services employee to payment for a public holiday as well as a substituted day in lieu.

#### **28. Jury service**

- (a) Jury service is provided for in Division 8 of the QES. Clause 28(b) supplements the QES.
- (b) By agreement between TAFE Queensland and an employee, fees (other than a meal allowance/s) received by the employee to attend jury service will be paid to TAFE Queensland and TAFE Queensland will continue to pay the employee their ordinary pay for the time the employee was absent on jury service.

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

#### **29. Transfer and appointment expenses**

- (a) An eligible employee appointed or 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 transferred; and

- (ii) board and lodging; and
  - (iii) other items of expenditure related to taking up duty.
- (b) Nothing in clause 29(a) is to be taken to prevent the 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.

### **30. Travelling and relieving expenses**

- (a) An employee who is required to:
- (i) travel on official duty; or
  - (ii) 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 reimbursed actual and reasonable expenses for accommodation, meals and incidental expenses necessarily incurred by the employee.
- (b) When one Educator relieves another Educator in a Region/campus that is not their usual Region/campus and is not obliged to live away from home or their usual place of residence, the Educator will be paid actual and reasonable daily travelling expenses.
- (c) Where a Facilities and Operations 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 usual 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.

### **31. International travel and relieving expenses**

An employee, excluding a casual employee, who is required to travel internationally on official duty, is to be reimbursed actual and reasonable expenses for accommodation, meals and incidental expenses necessarily incurred by the employee.

### **32. Leave and travel concessions - isolated centres**

- (a) An employee appointed to an isolated centre, excluding a temporary or casual employee, is entitled to:
- (i) Five days' paid leave each year to transact business, receive dental treatment, attend specialist appointments and undertake other personal matters that cannot be attended to in the isolated centre;
  - (ii) One paid return airfare each year from the centre of appointment to the designated coastal centre for each of the employee, their spouse and dependent children; and
  - (iii) One paid airfare per year from the centre of appointment to Brisbane or equivalent airfares to any other centre within the state for each of the employee, their spouse and dependent children.
- (b) Isolated centres and designated coastal centres will be as recorded in the table below:



Isolated Centre	Designated Costal Centre
Aurukun	Cairns
Bamaga	Cairns
Coen	Cairns
Doomadgee	Cairns
Mornington	Cairns
Normanton	Cairns
Palm Island	Townsville
Tambo*	(* Employees in Tambo are entitled to leave concession only)
Thursday Island	Cairns
Yorke Island	Cairns

### 33. Excess travel time

- (a) A Support employee who is required to undertake official travel away from their normal headquarters outside the ordinary spread of hours is entitled to time off in lieu.
- (b) Time off in lieu will be calculated:
  - (i) on the time taken for the official travel less the time the employee would usually spend travelling between their residence and usual workplace; and
  - (ii) to the nearest quarter hour, provided that the minimum claim is 30 minutes and the maximum is 8 hours in any one calendar day.

### 34. Travel associated with delivery - Educators

- (a) Travel associated with delivery of programs is an essential element of the work of Educators.
- (b) Approval by management of a teaching team program will include approval for travel associated with delivering that program.
- (c) Travel time for an Educator will be recognised as ordinary working hours, i.e. part of the 32 programmed hours per week.
- (d) When 32 hours per week is exceeded as a result of travel associated with delivery, or travel is undertaken outside ordinary hours of 0800 to 1800, an Educator may choose to be compensated in either of the following ways:
  - (i) time off in lieu; or
  - (ii) a flat rate payment of \$25.60 per hour.
- (e) Recognition for time spent travelling will be calculated according to the difference between the time usually taken to travel from the Educator's usual place of residence to their usual workplace and the time taken to travel from the Educator's residence to the alternative workplace. The excess time will be calculated to the nearest quarter of an hour. Compensation will only be granted for periods of not less than 30 minutes.

### 35. Transfer of employees

A Support employee who has served for 3 years or more continuously at a campus/s in an isolated location will be entitled to be transferred, without detriment, to some other position in a more favourable locality as soon as the opportunity arises.

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

### **36. 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) A consultative mechanism and procedures involving representatives of management, employees and relevant Unions will be established as determined by the Chief Executive, having regard to the size, structure and needs of TAFE Queensland.
- (d) Following consultation, the Chief Executive will develop a learning and development strategy consistent with:
  - (i) the current and future needs of TAFE Queensland;
  - (ii) the size, structure and nature of the operations of TAFE Queensland; and
  - (iii) the need to develop vocational skills relevant to TAFE Queensland through courses conducted wherever possible by accredited educational institutions and providers.
- (e) Learning and development may be both on-the-job and off-the-job and either internal or external to TAFE Queensland.
- (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.

### **37. Professional development and release to industry**

- (a) Educators, excluding casual employees, are entitled to a minimum of 10 days' paid professional development each year to engage in continuing professional development activities relevant to their role.
- (b) A minimum of half a day of professional development will be taken at any one time.
- (c) Continuing professional development activities relevant to the role may include:
  - (i) formal study in a recognised course;
  - (ii) attendance at a workshop, seminar or conference;
  - (iii) release to industry; and
  - (iv) other formal skill formation processes.
- (d) The continuing professional development activities recorded in clause 37(c) are indicative, not exhaustive.
- (e) TAFE Queensland may direct Educators to attend particular continuing professional development activities.

- (f) Continuing professional development activities will be in addition to activities undertaken as part of programmed time and non-attendance time.
- (g) Release to industry, provided in clause 37(c)(iii), will be observational, research or hands-on experience in an external organisation within industry, commerce or other appropriate setting.
- (h) An Educator on release to industry will work the normal hours of the industry concerned and will follow the same conditions as other workers in the setting concerned.
- (i) TAFE Queensland will meet all related expenses associated with the release to industry and will provide workers' compensation, professional indemnity, personal injury and property damage insurance for each Educator on release to industry.
- (j) Each Region will have a Professional Development Committee which will represent all employees in the Region. The role of the Committee will be to:
  - (i) consult with Educators to provide an opportunity for them to propose development needs they consider a priority;
  - (ii) negotiate group and individual Educator needs; and
  - (iii) recommend priorities for conducting particular activities.
- (k) TAFE Queensland is committed to maintaining professional development at two and one-half percent of payroll.

## **PART 9 - Union Related Matters**

### **38. Union consultation**

Unions will be consulted prior to implementation of changes to TAFE Queensland Human Resources Policy which prescribes employment conditions formerly provided by a Directive.

### **39. 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.

### **40. 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.

#### **41. 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 TAFE Queensland/the work unit concerned. At the same time, such leave will 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.

#### **42. 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 TAFE Queensland carries on a calling of the officer's organisation, during TAFE Queensland's business hours, to exercise a power under section 373 of the Act as long as the authorised industrial officer:
    - (A) has notified TAFE Queensland or TAFE Queensland's representative of the officer's presence; and

- (B) produces their authorisation, if required by TAFE Queensland or TAFE Queensland's representative.
  - (ii) Clause 42(b)(i) does not apply if, on entering the workplace, the officer discovers that neither TAFE Queensland nor a TAFE Queensland 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 42(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 records 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 TAFE Queensland 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 TAFE Queensland.
  - (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 TAFE Queensland 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 TAFE Queensland, 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) TAFE Queensland must not obstruct the authorised industrial officer exercising their right of entry powers.
  - (ii) An authorised industrial officer must not wilfully obstruct TAFE Queensland, or an employee during the employee's working time.

*Note: Clause 42 - 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 - Educator Classification Standards**

An Educator is to be classified into the appropriate classification level using the classification standards referred to below.

The attached classification standards indicate the qualifications, experience and the type of work that may be required of an Educator.

### **S1.1 Tutors**

The duties of a Tutor are to:

- (a) conduct tutorials on work that has been previously covered by a Teacher/Leading Vocational Teachers or by using another mode of delivery;
- (b) provide support to students through the delivery of tutorials as directed by the Teacher/Leading Vocational Teacher and provide support in student assessment (including support in recognition of prior learning and workplace assessment);
- (c) provide support through the delivery of tutorials in the workplace;
- (d) provide learning support to students as directed by the Teacher/Leading Vocational Teacher;
- (e) contribute to educational and subject planning and development for the actual delivery of vocational education and training services;
- (f) regularly liaise with the teaching team to discuss issues such as tutorial requirements and content; and
- (g) provide advice on trends and practices in industry.

#### **S1.1.1 Tutor Step 1**

- (a) Qualifications and experience
  - (i) A qualification equivalent to the module or course to which they are assigned;
  - (ii) An instructional qualification or attainment within 12 months;
  - (iii) Current vocational skills relevant to the field/area of study; and
  - (iv) Relevant work experience and the maintenance of applicable registrations/licences.

#### **S1.1.2 Tutor Step 2**

- (a) Qualifications and experience
  - (i) A qualification in excess of a diploma or equivalent; or
  - (ii) Completion of 12 months at classification level Tutor, Step 1.

#### **S1.1.3 Tutor Step 3**

- (a) Qualifications and experience
  - (i) A base and/or higher vocational qualification and 5 years' post-trade training industry/teaching experience; or

- (ii) Completion of 12 months at classification level Tutor, Step 2.

#### **S1.1.4 Tutor Step 4**

- (a) Qualifications and experience

- (i) A base qualification or higher vocational qualification, a teaching qualification, and 5 years' post-trade training industry/teaching experience; or
- (ii) Completion of 12 months at classification level Tutor, Step 3.

#### **S1.1.5 Tutor Step 5**

Qualifications and experience

Completion of 12 months at classification level Tutor, Step 4.

### **S1.2 Teachers**

- (a) The contact time duties of a Teacher include, but are not limited to:

- (i) Teaching (Facilitation of Learning);
- (ii) Classroom assessment; and
- (iii) Supervision of students.

- (b) The non-contact time duties of a Teachers include but are not limited to:

- (i) Student management other than teaching;
- (ii) Preparation;
- (iii) Marking;
- (iv) Subject counselling;
- (v) Course, curriculum or special program development and review;
- (vi) Industry liaison;
- (vii) Professional development; and
- (viii) Course and career counselling.

#### **S1.2.1 Teacher Step 1**

Qualifications and experience

A vocational qualification.

#### **S1.2.2 Teacher Step 2**

- (a) Qualifications and experience

- (i) An approved teaching qualification, a vocational qualification at diploma level/up to and including degree level and 5 years' post-trade industry/teaching experience; or
- (ii) Completion of 12 months at Teacher Step 1.

### **S1.2.3 Teacher Step 3**

- (a) Qualifications and experience
  - (i) An approved teaching qualification, a vocational qualification at bachelor degree level, additional higher qualification, and 5 years' post-trade training industry/teaching experience; or
  - (ii) Completion of 12 months at classification level Teacher, Step 2.

### **S1.2.4 Teacher Step 4**

Qualifications and experience

Completion of 12 months at classification level Teacher, Step 3.

### **S1.2.5 Teacher Step 5**

Qualifications and experience

An approved teaching qualification and completion of 12 months at classification level Teacher, Step 4.

### **S1.2.6 Teacher Step 6**

Qualifications and experience

Completion of 12 months at classification level Teacher, Step 5.

### **S1.2.7 Teacher Step 7**

Qualifications and experience

Completion of 12 months at classification level Teacher, Step 6.

## **S1.3 Leading Vocational Teachers**

- (a) The duties of a Leading Vocation Teacher will be:
  - (i) the same as the duties prescribed in S1.2; and
  - (ii) additional duties negotiated and agreed by TAFE Queensland and a Leading Vocational Teacher.
- (b) The following additional duties may be considered by the parties in the negotiation of an agreement in S1.3(a):
  - (i) Teach and lead teaching teams;
  - (ii) International projects/business;
  - (iii) Industry liaison work;
  - (iv) Consultation in industry;
  - (v) Leadership in teaching practice;



- (vi) Functional responsibility (e.g. financial or staffing);
  - (vii) Facilitation of performance, planning and review;
  - (viii) Mentoring (Teachers and Tutors);
  - (ix) Assistance with marketing (development of promotional strategies);
  - (x) Educational programming;
  - (xi) Professional/team leadership;
  - (xii) Performance of high level duties of a critical nature to the business provided there are not those expected of Associate Directors; or
  - (xiii) Managing relationship with other educational organisations.
- (c) The suggested additional duties in S1.3(b) are indicative and not exhaustive.
- (d) Where there is more than one Leading Vocational Teacher in a teaching team, TAFE Queensland will ensure a fair and equitable process is used to allocate additional duties and the more onerous duties are equally distributed in the teaching team.
- (e) The performance of additional duties will not be so frequent or onerous as to detract from the Leading Vocational Teacher's primary role as a Teacher.
- (f) Managers and teaching teams will confer to determine the duties to be performed by a Leading Vocational Teacher/s within the teaching team.
- (g) Teaching teams will consult to prepare proposals for the specific duties to be performed by a Leading Vocational Teacher.
- (h) In each instance, a Leading Vocational Teacher must agree to accept the additional duty or duties and duties should be allocated to those competent to perform them.
- (i) A Leading Vocational Teacher who is not able to accept a duty discussed in the teaching team consultation process may negotiate a duty or duties with management.
- (j) Teaching teams will present their proposals for duties to be performed by a Leading Vocational Teacher/s to management for approval.
- (k) In situations where a large teaching team includes mainly Educators holding the position of Leading Vocational Teacher, and therefore the duties are not sufficient to distribute, consideration may be given to the appropriate allocation of duties within Regions.
- (l) Should a Leading Vocational Teacher fail to meet their undertaking they will be made subject to a review of their duties and classification in line with TAFE Queensland performance management processes. Such a review may consider a reallocation of duties or a removal of the Leading Vocational Teacher classification whereby the Educator may return to classification level Teacher, Step 7.
- (m) The classification of Leading Vocational Teacher can be removed, reduced or altered where performance issues are identified in that the Leading Vocational Teacher concerned is not fulfilling their responsibilities which are shown to be within the Educator's capacity. This aspect of non-compliance is expected to take the form of a TAFE Queensland performance management process and to be recorded as such.

- (n) The nature of additional duties undertaken by a Leading Vocational Teacher may be regularly reviewed by managers and teaching teams to reflect changing directions and needs. In addition, where a Leading Vocational Teacher is unable to perform the additional duties through no fault of the Leading Vocational Teacher concerned or due to compassionate grounds or significant personal circumstances, management may review and reallocate existing duties in consultation with teaching teams. Reversion is not an option for management.
- (o) A Leading Vocational Teacher may terminate their agreement to perform additional duties and return to classification level Teacher, Step 7.
- (p) An employee at classification level Teacher, Step 7 may restate their acceptance of additional duties and be appointed to classification level Leading Vocational Teacher, Step 1.
- (q) There will be no quotas to limit the number of Leading Vocational Teachers.

### **S1.3.1 Leading Vocational Teacher Step 1**

- (a) Qualifications and experience
  - (i) Teachers are eligible to progress to Leading Vocational Teacher Step 1 provided:
    - (A) the Teacher signs an agreement to perform an additional duty or duties negotiated within the teaching team and agreed between the teaching team and Manager; and
    - (B) has completed 12 months at classification level Teacher, Step 7.
  - (ii) Notwithstanding S1.3.1(a)(i)(A), the Manager has the right to determine the strategic priorities for teaching teams.
  - (iii) Progression to classification level Leading Vocational Teacher, Step 1 will take effect from the date the agreement in S1.3.1(a)(i)(A) is signed by both parties.

### **S1.3.2 Leading Vocational Teacher Step 2**

- (a) Qualifications and experience
  - (i) An employee at classification level Leading Vocation Teacher Step 1 is eligible to progress to classification level Leading Vocational Teacher, Step 2 provided:
    - (A) the parties agree to renew the existing agreement in S1.3.1(a)(i)(A) or negotiate a new agreement to perform additional duties or duties negotiated within the teaching team and agreed between the teaching team and Manager;
    - (B) the employee has completed 12 months at classification level Leading Vocational Teacher, Step 1; and
    - (C) the employee has attained endorsement from their Manager that their conduct was satisfactory and they performed diligently and efficiency at classification level Leading Vocational Teacher, Step 1.
  - (ii) Any continuous period of unpaid leave exceeding 3 months will not recognised for the 12 month period in S1.3.2(a)(i)(B).

### **S1.3.3 Leading Vocational Teacher Step 3**

- (a) Qualifications and experience

- (i) An employee at classification level Leading Vocation Teacher, Step 2 is eligible to progress to classification level Leading Vocational Teacher, Step 3 provided:
  - (A) the parties agree to renew the existing agreement in S1.3.1(a)(i)(A) or negotiate a new agreement to perform additional duties or duties negotiated within the teaching team and agreed between the teaching team and Manager;
  - (B) the employee has completed 12 months at classification level Leading Vocational Teacher, Step 2; and
  - (C) the employee has attained endorsement from their Manager that their conduct was satisfactory and they performed diligently and efficiency at classification level Leading Vocational Teacher, Step 2.
- (ii) Any continuous period of unpaid leave exceeding 3 months will not recognised for the 12 month period in S1.3.3(a)(i)(B).

## **Schedule 2 - TAFE Services Classification Standards - Administrative Stream**

### **Administrative Officer Level 1 (AO1)**

#### **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 office 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 a TAFE Services employee develops 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 a TAFE Services 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.

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

### **Administrative Officer Level 2 (AO2)**

#### **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 TAFE Queensland.

### **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 TAFE Queensland 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 a TAFE Services 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.

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

## **Administrative Officer Level 3 (AO3)**

### **Work level description**

Work at this level usually requires relevant experience combined with a broad knowledge of the office'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 TAFE Queensland'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 office.

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 office 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 office 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 office'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 the office'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 TAFE Queensland.

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 office 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 office operating instructions or procedures. While such decisions may impact on Office 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 office 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 office 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 office 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 the office in accordance with corporate goals, and requires the development, implementation and evaluation of office 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 office 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 TAFE Queensland with clients or other interested parties may be needed.

Work at this level requires a knowledge and awareness of office 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 faculty or regional level, to achieve a result in line with the corporate goals of TAFE Queensland.

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 office; initiating and formulating recommendations for office 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 office 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 TAFE Services employee 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 office 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 office.

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 office 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 TAFE Queensland 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 state-wide level and of critical importance to TAFE Queensland, 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 office 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 TAFE Queensland 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 office, 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 projects of significant within and outside the office being involved.

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 office 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 office with clients or other interested groups, often to finality, may be required.

## **Schedule 3 - TAFE Services Classification Standards - Professional Stream**

### **Professional officer Level 1 (PO1)**

#### **Work level description**

Work at this level is restricted to those TAFE Services employees who have met the minimum entry requirements under the relevant legislation plus the education requirements for acceptance into an appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade (degree) in the Professional stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular professional group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant profession, but at a level and under a degree of supervision appropriate to the skills held. This may include some work normally which would be carried out by Level 2 (i.e. practising) professional, provided such work is verified or validated by a qualified and experienced professional TAFE Services employee.

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

Work within this level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

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

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken.

Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

#### **Duties and skills**

This level recognises that duties and skills will increase in complexity as the TAFE Services employee moves through the education and training phase.

TAFE Services employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

TAFE Services employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

### **Professional officer Level 2 (PO2)**

#### **Work level description**

Positions at this level consist of TAFE Services employees with a minimum of a degree qualification or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Mandatory qualifications exist for entry to this level with an expectation of the application of professional knowledge gained through formal studies.

Positions at this level involve the delivery of basic professional services which are in support of TAFE Queensland objectives.

### **Characteristics of the work**

Work is initially performed under close supervision by a more experienced professional, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand.

The solution of problems may require the exercise of professional judgement through the selection and application of procedures, methods and standards, however guidance from senior staff is readily available.

TAFE Services employees at this level may operate individually or as a member of a project team within a work group. Positions at this level generally have no supervisory responsibilities although more experienced TAFE Services employees may assist new TAFE Services employees by providing guidance and advice.

Possession of the mandatory tertiary qualification and experience is required for positions within this level. Additionally, knowledge of basic practices and procedures relevant to the discipline is required. Professional judgement may be exercised within prescribed areas, however the provision of results are subject to verification and validation.

### **Duties and skills**

Positions at this level may involve a TAFE Services employee in a range of activities including the analysis and interpretation of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic operations.

TAFE Services employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions.

TAFE Services employees will have obtained professional knowledge as indicated by successful completion of the appropriate three year undergraduate degree or diploma and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

## **Professional officer Level 3 (PO3)**

### **Work level description**

This level usually requires professional expertise in one or more areas of a discipline. Detailed knowledge of standard professional tasks are required with scope existing for exercising initiative in the application of established work practices and procedures.

At this level some supervisory responsibility of subordinate staff may be required. The degree of supervision is variable depending on the assignment or project.

TAFE Services employees will be required to progressively obtain greater specialised knowledge through postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars and achieve higher level of outcomes under reducing professional direction.

### **Characteristics of the work**

Work is usually performed under general guidance with the general quality of output monitored by superiors. However, the technical content of the work is not normally subject to direct supervision. Guidance may be given in reviewing work programs or on unusual features of an assignment.

TAFE Services employees are expected to exercise initiative in the application of professional practices either as a member (in some situations as leader) or a specialist professional in multi-disciplinary teams or independently and may deputise for the professional head of a small work unit.

TAFE Services employees at this level may have supervisory responsibilities for technical staff, if required, together with responsibilities for training and development of subordinate professional staff within the discipline.

### **Duties and skills**

Work at this level requires the undertaking of more complex activities and the selection and application based on professional judgement of new and existing techniques and methodologies.

TAFE Services employees may carry out research under professional supervision and may be expected to contribute to the advances of the techniques used.

Supervisory responsibilities include on-the-job training, staff assessment and performance counselling in relation to subordinates with the discipline or para professionals, as well as authority for the verification and validation of work results of supervised staff.

Duties also include the responsibility for varied professional assignments, requiring knowledge of either a broad or specialised field. Problems would be addressed by the use of combinations of standard procedures and/or modifications of standard procedures.

## **Professional officer Level 4 (PO4)**

### **Work level description**

Work at this level usually requires the exercise of professional independence combined with competence derived from extensive experience and/or additional study.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised specialist, a professional practitioner with responsibilities for complex duties or as a senior specialist or leader in a multi-disciplinary team and may deputise for a professional head of a work unit.

The management of work groups may be a function of this level.

### **Characteristics of the work**

Work is performed with limited or no professional supervision. Professional guidance from superiors is only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the normal span of activity.

Any standard professional task within the discipline, (including problem definition, planning, execution, analysis and reporting) is expected to be performed by an officer of this level.

Work at this level requires the development and provision of professional advice and consultancy services to other agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

The general quality of advice given is monitored by superiors and is subject to professional standards.

The application of knowledge obtained through postgraduate specialist qualifications or extensive recognised expertise is required for appointment to this level.

Professional specialists at this level would undertake work with significant scope and/or complexity and/or undertake professional duties of an innovative, novel and/or critical nature without professional direction.

### **Duties and skills**

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of TAFE Queensland's operations combined with a specialist or very high level of practitioner knowledge of major activities in the work unit.

Managerial responsibility may cover a small number of professional and related technical staff, and 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.

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

## **Professional officer Level 5 (PO5)**

### **Work level description**

Appointees to this level are recognised as authorities within a particular specialised field of expertise or they may have extensive knowledge within the professional discipline and broad experience spanning more than one professional discipline.

Positions at this level may have professional responsibility for a large work group.

### **Characteristics of the work**

Work at this level may involve the exercise of substantial professional judgement based on knowledge of national initiatives and involvement in the development/application of discipline principles and new technology and/or knowledge of critical work which can involve a number of personnel from the disciplines or a variety of disciplines.

Work is usually performed without professional direction with a discretion permitted within the boundaries of broad guidelines to achieve organisational goals.

This level requires that appointees be recognised by their peers as expert professionals in their field either as practitioners or as professional specialists. This recognition is acknowledged by higher qualifications or by publications in refereed scientific journals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial professional judgement.

Management, initiation and formulation of research programs, major project or management of a scientific service or enterprise involving both a service and research work are features of this level.

Management of large work units, including prioritising work, training of staff, monitoring or work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate professional staff may also be required.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with professional independence.



### **Duties and skills**

Work at this level requires a detailed knowledge of both governmental policies and procedures and an appreciation of their application in relation to TAFE Queensland operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The provision of expert advice on a consultancy basis to outside bodies, agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate professional, technical and economic impacts of programs, formulate policy and corporate strategy proposals are a requirement of positions within this level.

The management of very complex projects involving a number of personnel from either the discipline or a variety of professional disciplines may be required.

### **Professional officer Level 6 (PO6)**

#### **Work level description**

Work at this level is usually under the broad direction of a senior executive and includes a requirement for high levels of expertise and experience to determine professional objectives and priorities within the frameworks of TAFE Queensland's corporate goals and in the absence of general professional guidance.

Appointees to this level are recognised as national or international authorities within their discipline and have generally made a significant contribution to the development of professional understanding on a national or international basis.

High levels of expertise and experience are required with a comprehensive knowledge of a recognised professional discipline.

This level may require the management of programs of critical importance to the State, to satisfy the government's objectives or TAFE Queensland's corporate goals.

#### **Characteristics of the level**

Work is undertaken in a highly complex or specialised field to establish and/or modify standards, guidelines, concepts, theories, techniques or principles, both by adapting precedents and by making significant departures from traditional approaches.

In the absence of other evidence higher qualifications or national/international professional recognition of expertise is considered essential to undertake duties at this level.

The provision of expert specialist consultancy skills with critical impacts to the industry, to the State and at times the Nation must be combined with the exercise of total professional independence.

#### **Duties and skills**

The lack of precedent is a significant feature of the majority of duties and actions undertaken.

Development and overseeing the implementation of new and high level programs and major investigations is a significant feature of this level, as is an emphasis on strategic management.

## **Schedule 4 - TAFE Services Classification Standards - Technical Stream**

### **Technical officer Level 1 (TO1)**

#### **Work level description**

Work at this level is restricted to those TAFE Services employees who have met the minimum entry requirements under the relevant legislation plus the education requirements for acceptance into the appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade in the Technical stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular technical group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant occupation, but at a level and under a degree of supervision appropriate to the skills held. This may include some work which normally would be carried out by Level 2 (i.e. practising) technical officer, provided such work is verified or validated by a qualified and experienced technical TAFE Services employee.

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

Work within this level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

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

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken. Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

#### **Duties and skills**

This level recognises that duties and skills will increase in complexity as the TAFE Services employee moves through the education and training phase.

TAFE Services employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

TAFE Services employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

### **Technical officer Level 2 (TO2)**

#### **Work level description**

Positions at this level consist of TAFE Services employees with a minimum of a diploma, advanced diploma, qualification, or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Positions at this level involve the delivery of basic technical services which are in support of TAFE Queensland objectives.

### **Characteristics of the work**

Work is initially performed under close supervision by a more experienced professional or technical officer, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand and work outcomes are closely monitored.

The solution of problems may require the exercise of basic technical judgement through the application of standard procedures, methods and standards, however guidance from senior staff is readily available.

TAFE Services employees at this level may operate individually under close supervision or as a member of a project team within a work group.

Positions at this level generally have no supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

Knowledge of basic practices and procedures relevant to the discipline is required with the possibility of specialisation in work application.

### **Duties and skills**

Positions at this level may involve a TAFE Services employee in a range of activities including the analysis of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic technical investigations, tests or measurements.

TAFE Services employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions. Work is generally undertaken under technical guidance of senior staff.

Skills are generally transferable within particular disciplines.

TAFE Services employees will be required to have technical knowledge as indicated by successful completion of the appropriate diploma, advanced diploma, qualification and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

## **Technical officer Level 3 (TO3)**

### **Work level description**

Work at this level requires detailed technical knowledge and experience with demonstrated high levels of accuracy and precision. An understanding of TAFE Queensland's functions, coupled with detailed knowledge of the Unit's operations, practices and procedures is necessary for competent performance.

A TAFE Services employee may be required to undertake a range of moderately complex tasks and functions or specialisation in a particular discipline may be a feature of work at this level.

### **Characteristics of the work**

Work at this level is undertaken autonomously with limited guidance. Guidance is available for complex or unusual problems, research or moderately complex experimental work. However, the contribution of experience to resolve issues on a day to day basis for which there may be no established procedure is a requirement of this level.

Supervision of small work groups and responsibility for quality of output by the group may be a feature of this level.

### **Duties and skills**

The determination, conduct and evaluation of standard technical practices and procedures is required at this level. Significant technical responsibility exists for the application of new techniques to moderately complex problems and may be combined with limited specialist research.

Supervisory responsibilities would be limited and would include on-the-job training, staff assessment and performance counselling in relation to subordinates within the discipline.

### **Technical officer Level 4 (TO4)**

#### **Work level description**

Appointment to this level requires proven technical expertise and competence with demonstrated proficiency in applying established technical disciplines over several years either on an individual basis or as a member of a multi-disciplinary unit as either a technical practitioner or a technical specialist.

High levels of initiative in accomplishing technical objectives which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary unit are required.

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

Work is performed either independently, with limited guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the position's normal span of activity, or as a member of a specialist or multi-disciplinary team.

Specialist technical consultancy either in the particular area of expertise or in a specialist area of expertise is required as is a high level of technical assistance to the work group.

The general quality of advice given is monitored by superiors and is subject to professional standards. Management of work groups may be a feature of this level.

### **Duties and skills**

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.

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

The investigation of a range of operating and design issues is a key duty of this level.

### **Technical officer Level 5 (TO5)**

#### **Work level description**

This level requires a high level of knowledge of complex though conventional methods and techniques of a particular discipline resulting from many years' experience and/or advanced technical training.

High levels of autonomy and initiative are required to be exhibited in accomplishing objectives and undertaking complex research projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team. TAFE Services employees would be expected to work with only broad guidelines in accomplishing objectives and undertaking complex projects.

The management of large technical work units which may be located across several work sites or involved in several programs may be a function of this level.

### **Characteristics of the work**

Higher qualifications or further study or research experience is usually a characteristic of this level. Management of large technical work units, including prioritising work, training of staff, monitoring of work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate technical staff may also be required.

Work at this level requires the development and provision of specialist technical advice and consultancy services to other agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

### **Duties and skills**

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of TAFE Queensland's operations combined with a specialist knowledge of major activities within the work unit.

Key duties and skills include the development of innovative methodologies, the application of proven techniques to specialised technical services and the undertaking of significant projects requiring the use of analytical skills.

The development and implementation of research studies, the preparation of reports and the formulation of recommendations and strategic plans in relation to the operation of the unit are key duties at this level.

## **Technical officer Level 6 (TO6)**

### **Work level description**

Appointees at this level are recognised as authorities within a particular specialised technical field of expertise. This expertise is exhibited through extensive knowledge and experience within the area of specialisation possibly gained through either research or further qualifications.

Positions at this level may have managerial responsibility for major work units.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team.

### **Characteristics of the work**

Work is usually performed without technical direction with a degree of individual discretion permitted within broad guidelines to achieve organisational goals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial technical judgement.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with technical independence.

### **Duties and skills**

Work at this level requires a detailed knowledge of both governmental policies and procedures and an appreciation of their application in relation to TAFE Queensland operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The development of appropriate techniques in providing specialised technical services and the formulation of complex programs within the framework of objectives and priorities of major work units are key duties to this level.

The provision of expert advice on a consultancy basis to outside bodies, agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, formulate policy and corporate strategy proposals are a requirement of positions within this level.

## **Schedule 5 - TAFE Services Classification Standards - 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 level**

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 judgment 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**

TAFE Services 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 level**

Work may initially be performed under close supervision by a more experienced officer, however, this supervision is expected to reduce as experience increases. TAFE Services 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 a TAFE Services 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 TAFE Queensland's functions coupled with detailed knowledge of the work units' operations, practices and procedures is necessary for competent performance.

#### **Characteristics of the level**

TAFE Services 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.

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

Supervision of subordinate TAFE Services 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 TAFE Queensland'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, and 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. TAFE Services 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 position's 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 judgement may be required in determining 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 level**

TAFE Services 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 TAFE Queensland 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 officers levels 6 & 7 (OO6 & OO7)**

### **Work level description**

Work at this level requires 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 TAFE Queensland 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 organisational goals.

**Duties and skills**

Duties at this level reflect the independent operation of the TAFE Services 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 this level.

Work at this level requires a knowledge and awareness of TAFE Queensland 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 this level.

## Schedule 6 - Transitional Arrangements - Certain Leading Vocational Teachers

- (a) The purpose of Schedule 6 is to prescribe the transitional arrangements for Leading Vocational Teachers who were engaged at the classification level Principal Teacher Level 1 as at 19 December 2003.
- (b) The minimum salaries payable to an employee engaged at the classification level Principal Teacher Level 1 as at 19 December 2003 are prescribed in the table below:

<b>Principal Teacher</b>			
<b>Classification Level</b>		<b>Award Rate<sup>1</sup> Per Fortnight \$<sup>2</sup></b>	<b>Annual<sup>3</sup> Salary \$<sup>2</sup></b>
Level 1	Step 1	3,499	91,285
	Step 2	3,578	93,346
	Step 3	3,655	95,355

*Notes:*

1. Includes the arbitrated wage adjustment payable under the 1 September 2016 Declaration of General Ruling.
  2. Rounded to the nearest dollar.
  3. Annual salaries (fortnightly rate x 26.089) are for reference purposes only.
- (c) The minimum salary payable to an employee engaged at the classification of Principal Teacher Level 2 as at 19 December 2003 is prescribed by the rates applicable to a Leading Vocational Teacher at clause 12.3(a).
- (d) Notwithstanding S1.3(a)(ii), a Leading Vocational Teacher covered by Schedule 6 will be required to perform additional duty/s, but will not be required to sign an agreement.
- (e) Schedule 6 will remain in this Award until such time as all Leading Vocation Teachers paid in accordance with Schedule 6 leave their teaching engagements with TAFE Queensland.

## Schedule 7 - Certain Short Term Casual Employees and Pieceworkers

- (a) The purpose of Schedule 7 is to prescribe rates of pay and conditions of employment for certain short term casual employees and pieceworkers engaged in duties in the following areas:
- (i) Adult Community Education short courses;
  - (ii) The International English Language Testing System;
  - (iii) Nurse Facilitation;
  - (iv) Art Modelling;
  - (v) Interpretation for the hearing impaired; and
  - (vi) Exam Marking/Supervision.
- (b) The minimum rates payable are prescribed in the tables below:

<b>(i) Short Term Casual Employees</b>	
<b>Calling</b>	<b>Award Rate Per Hour \$</b>
Adult Community Education Tutor	25.27
Adult Community Education Teacher	49.47
Adult Community Education Lecturer Level 1	46.08
Adult Community Education Lecturer Level 2	51.20
Adult Community Education Lecturer Level 3	62.01
Nurse Facilitator	56.84
Interpreter for the Hearing Impaired	41.37
Clothed Art Model - day	31.27
Nude/Semi Nude Art Model - day	32.46
Clothed Art Model - night	37.53
Nude/Semi Nude Art Model - night	38.95
Plaster Body Casting Art Model	41.36
Art/Figure Photo Model - day	55.12
Art/Figure Photo Model - night	66.13

<b>(ii) Pieceworkers</b>	
<b>Unit</b>	<b>Award Rate Per Piece \$</b>
Invigilate or mark one students' International English Language Testing System exam	33.37
Examine the language ability of one candidate under the International English Language Testing System	66.74
Train one Examiner to examine the language ability of candidates under the International English Language Testing System exam	100.12
Supervise one exam (other than an International English Language Test System exam)	24.27
Mark one students' completed Certificate I or Certificate II or Certificate III exam paper	5.99
Mark one students completed Certificate IV or Diploma Exam Paper	8.65
Mark one students completed Advanced Diploma exam paper	10.24

- (c) The Level of an Adult Community Education Lecturer prescribed in clause (b) of this Schedule, will be determined by the delegate having regard to the business needs of the Region including isolation, the ability to recruit and training needs.
- (d) The hours of duty of a day Model prescribed in clause (b) of this Schedule will be 0600 to 1800.
- (e) The minimum safety net conditions of employment are provided in the Queensland Employment Standards.

## Schedule 8 - Organisational (Flexible) Hours of Work Arrangements

### S8.1 Purpose

- (a) The purpose of Schedule 8 is to provide a framework within TAFE Queensland to introduce organisational (flexible) hours of work arrangements and related conditions of employment.
- (b) Schedule 8 has two objectives:
  - (i) to provide all eligible TAFE Services employees (see clause 15.11) with access to accrued time off, including whole or part days, within each work cycle; and
  - (ii) to provide TAFE Queensland with increased flexibility by providing opportunities for supervisors to manage workflows in a manner which does not unnecessarily lead to TAFE Services employees being directed to work overtime.

### S8.2 Method of introduction

TAFE Queensland is to ensure that organisational (flexible) hours of work arrangements are implemented in accordance with Schedule 8 and are tailored to provide TAFE Services employees with the opportunity to accrue time off in a manner which meets the operational and other client service needs of TAFE Queensland.

### S8.3 Definitions

**accrued time** means:

- (a) ordinary hours performed in excess of the ordinary working hours of an employee; and
- (b) authorised overtime performed which is not compensated by the payment of overtime in accordance with S8.4(e)(i)(ii) and (iii)

**accrued time off** means an approved absence during which a TAFE Services employee is able to access previously accrued time

**carryover balance** means any accrued time not taken as paid time off (and debit time if included in the organisational (flexible) hours of work arrangements) in one work cycle and which, subject to any specified limit/s, is carried over to the next work cycle

**core time** means the period during the day when TAFE Services employees are expected to be available to perform ordinary duty, unless they are absent on an approved lunch break, accrued time off or other authorised absence from duty

**debit time** means the amount of paid time off taken prior to the accrual of time in excess of the ordinary working hours prescribed

**hours of work arrangements** means those working arrangements introduced in accordance with Schedule 8 which are designed to give effect to the provisions of clause 15.4 and the purpose of Schedule 8, as recorded in S8.1

**normal operating hours** means the hours of operation in TAFE Queensland or a work unit on any one day, within the spread of hours, within which TAFE Services employees will be authorised to commence and cease duty

**ordinary working hours** means 7.25 hours per day

**standard hours** means a standard 7.25 hours working day within the spread of ordinary hours (excluding the lunch break) e.g. 0900 to 1700 Mondays to Fridays, inclusive, with a lunch break of

45 minutes between 1200 and 1400; 0845 to 1630 Mondays to Fridays, inclusive, with a lunch break of 30 minutes between 1145 and 1445

**supervisor** means a person responsible for the daily supervision and operation of a work unit

**travelling time** means the difference between the time taken for a TAFE Services employee to travel as directed to an alternative place of work and the time taken for a TAFE Services employee to travel to their usual place of work

**work cycle** means a period of time specifying a number of consecutive days during which accrued time and approved leave will be accounted

**work unit** means an identifiable group of TAFE Services employees within TAFE Queensland

#### **S8.4 Arrangements**

- (a) (i) Hours of work arrangements in TAFE Queensland or a work unit within the spread of ordinary hours prescribed in clause 15.4 will be determined by the Chief Executive after consultation with the affected TAFE Services employees.
- (ii) Within the spread of ordinary hours, the normal operating hours of TAFE Queensland or a work unit are to be determined by the Chief Executive.
- (iii) Hours of work arrangements for TAFE Queensland or a work unit are to be recorded in writing and advised to affected TAFE Services employees.
- (b) (i) An existing spread of ordinary hours and related new hours of work arrangements may be introduced in TAFE Queensland or a work unit by agreement between the Chief Executive and the majority of TAFE Services employees affected.
- (ii) In reaching agreement, no party will unnecessarily delay the process or unreasonably withhold consent.
- (c) In any hours of work arrangements implemented in TAFE Queensland or a work unit the ordinary hours of work, exclusive of meal times, will not exceed 9.5 hours per day to be worked within normal operating hours.
- (d) Accrued time off may only be taken with the prior approval of the relevant supervisor.
- (e) (i) Subject to S8.4(e)(ii), a TAFE Services employee will be required to accrue sufficient accrued time so as to allow an employee to take a part or full day (or longer period) as accrued time off.
- (ii) The hours of work arrangements in TAFE Queensland or a work unit may permit a TAFE Services employee to avail of debit time up to a specified limit.
- (iii) The Chief Executive may direct the starting and ceasing times of TAFE Services employees within the spread of ordinary hours.
- (iv) In determining hours of duty, wherever practicable, the Chief Executive must:
  - (A) Consult on the requirements to work specific hours before directing TAFE Services employees to work those hours;
  - (B) Where the working of accrued time is not suitable to a TAFE Services employee on a given day take into account whether other employees are available and competent to perform the work;

- (C) Take into account the needs of workers with family responsibilities or disabilities;
  - (D) Provide timely notice of the requirement to work in excess of ordinary hours; and
  - (E) Take into account the TAFE Services employee's current accumulation of accrued time.
- (v) Before seeking to access accrued time off all TAFE Services employees will be expected to give first priority to the maintenance of acceptable work flows and ensure that co-operation exists with supervisors in planning office working times in order that resources are available to service the needs of TAFE Queensland, a work unit/s and clients.
  - (vi) A TAFE Services employee may not perform accrued time unless work is allocated for an employee to perform and is performed.
  - (vii) It will be the responsibility of each supervisor in respect to their work unit to ensure that the needs of TAFE Queensland and its clients are met and appropriate supervision is available at all times. Supervisors are also responsible for ensuring that employees' workloads are properly managed and that TAFE Services employees are provided, subject to operational requirements, with the ability to take accrued time off in order to avoid forfeiting accrued time in excess of any prescribed maximum carryover balance.
  - (viii) Subject to S8.4(a) and S8.4(e)(vi), there will be no limit to the number of hours that may be accrued during a work cycle.
  - (ix) TAFE Services employees who resign, retire or otherwise cease employment should ensure that they have utilised all accrued time or made up any debit time prior to cessation of employment. TAFE Services employees are not entitled to any compensation or payment for any accrued time not utilised as at date of cessation of employment. Any debit time accrued as at the date of cessation of employment will be recoverable by the Chief Executive at ordinary rates and deducted from any monies owed at date of cessation of employment.
  - (x) Where a TAFE Services employee's time management is deemed to be unsatisfactory, the Chief Executive may direct the TAFE Services employee to work standard hours.
- (f) Organisational (flexible) hours of work arrangements may include provision for the carryover of accrued time (and debit time if included in the arrangements) from one work cycle to the next.
  - (g) Issues which may be considered for inclusion in hours of work arrangements may include, but are not necessarily limited to, the following:
    - (i) spread of ordinary hours (including consideration of the spread of ordinary hours beyond those recorded in clause 15.4);
    - (ii) work cycle;
    - (iii) core times;
    - (iv) maximum carryover balance from one work cycle to the next, provided that where a maximum balance is prescribed, it will not be limited to an amount less than five days accrual;
    - (v) access to accrued time off (provided that where a limit is prescribed for the amount of accrued time off in a work cycle, such a limitation will not be less than three days, to be taken either consecutively or separately); and



- (vi) weekend overtime accrual, specifically accrual factor/s referred to in S8.4(e)(i) and (iii).
- (h) Travelling time other than authorised overtime, performed by TAFE Services employees in excess of the ordinary working hours but within the 9.5 hours of duty permitted in S8.4(c) will be recognised as accrued time on a time for time basis. Subject to clause 33, any travelling time undertaken outside the 9.5 hours of duty permitted in S8.4(c) will be compensated at normal rates or as time off in lieu.
- (i)
  - (i) As part of the hours of work arrangements, TAFE Services employees may perform authorised work outside the spread of ordinary hours or in excess of 9.5 hours exclusive of meal breaks on any one day.
  - (ii) TAFE Services employees who by mutual agreement with the relevant supervisor perform work as outlined in S8.4(i)(i) on Mondays to Fridays will, by mutual agreement with the supervisor, be compensated either by paid overtime at the rate prescribed in clause 18 of this Award or have such time accrued on a time for time basis.
  - (iii) Where such overtime is performed on a Saturday or a Sunday, the overtime will be compensated by paid overtime at the rate prescribed in clause 18.3 or where a TAFE Services employee and the relevant supervisor agree, have such time accrue on a time for time basis or such other factor as prescribed in the organisational (flexible) hours of work arrangements.
  - (iv) All ordinary work performed on a public holiday will be compensated in accordance with clause 27.1.
  - (v) All overtime accrued under the hours of work arrangements will comply with minimum period provisions prescribed in clause 18.3.
  - (vi) When applying S8.4(i), genuine consultation is to occur between the relevant supervisor and employees free from duress.
  - (vii) Where agreement to accrue authorised overtime under hours of work arrangements is not reached, such overtime will be compensated by paid overtime at the appropriate overtime rate prescribed elsewhere in this Award.
  - (viii) S8.4(i) does not apply to TAFE Services employees in receipt of ordinary salary that exceeds the equivalent of classification level AO5, paypoint 4.

## Schedule 9 - Cleaners employed by State Government Departments and Agencies

**S9.1** 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 full-time, part-time or casual basis.

**S9.2** 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> \$
(i) Between 12 November 1991 and 11 November 1993	31.24
(ii) Between 12 November 1990 and 11 November 1991	41.37
(iii) 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> \$
(i) Between 12 November 1991 and 11 November 1993	16.24
(ii) Between 12 November 1990 and 11 November 1991	24.24
(iii) On or before 11 November 1990	32.44

**S9.3** 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 10 - 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 Commonwealth 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 TAFE Queensland 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 TAFE Queensland and the 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 TAFE Queensland 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 TAFE Queensland 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, TAFE Queensland 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 TAFE Queensland 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).

By the Commission,  
[L.S.] J. STEEL,  
Industrial Registrar.