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Sent: Friday, 17 March 2023 4:16 PM
To: Chambers - Hampton DP <Chambers.Hampton.DP@fwc.gov.au>
Cc: Ruchi Bhatt <ruchi.bhatt@aigroup.com.au>; Colin Chang <colin.chang@aigroup.com.au>; Kyle Scott <Kyle.Scott@ablawyers.com.au>; Claudia.Simmons@Ablawyers.com.au
Subject: Re: C2019/5259 Review of Certain C14 Rates - AWU Correspondence

OFFICIAL

Dear Associate,

I write in relation to Matter C2019/5259.

Please find attached the AWU's proposed amendments to the *Concrete Products Award 2020* and the *Sugar Industry Award 2020*. At a high level, the amendments would introduce what is effectively a C13.5 classification level and move the existing C14 classification descriptions into the new C13.5 level. A new C14 classification description has also been developed for employees undertaking initial training duties.

The AWU understands these amendments would not be opposed by AIG and ABI if they commence operating from six months after a variation decision is made. The AWU supports that approach in the circumstances.

Please let me know if the Deputy President would prefer for a draft determination in the traditional format to be filed, or requires any additional information.

Regards,

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I acknowledge the ancestors and traditional custodians of the land on which our offices stand and pay respect to Elders past and present.



Concrete Products Award 2020

AWU PROPOSED AMENDMENTS

1. Clause 2. Definitions – amend the following definitions to read:

standard hourly rate means the minimum hourly rate of pay for the Introductory level in clause 16—Minimum rates.

standard weekly rate means the minimum weekly rate of pay for the Introductory level in clause 16—Minimum rates.

2. Clause 16. Minimum rates – amend the rates table to read:

16.2 An employer must pay employees the following minimum wages for ordinary hours worked by the employee:

Employee classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
Introductory level	812.60	21.38
Level 1	823.65	21.68
Level 2	834.70	21.97
Level 3	865.20	22.77
Level 4	893.60	23.52
Level 5	940.90	24.76

3. Schedule A — Classification Definitions – amend to relevantly read:

A.0 Introductory level

A.0.1 Employees at this level are undertaking either or both of the following forms of training:

- (a)** the employer's induction programme which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow employees, training and career path opportunities, plant layout, work and documentation procedures, work health and safety and quality assurance.

- (b) other training to enable them to achieve the level of competence and/or to acquire the skill(s) required to perform work at Level 1.

A.1 Level 1

A.1.1 Employees who have undertaken the employer's induction programme and who have satisfactorily completed training so as to enable them to perform work at this level.

A.1.2 Employees at this level perform routine duties essentially of a manual nature and to the level of their training;

- (a) perform general labouring and cleaning duties;

- (b) exercise minimal judgment;

- (c) work under direct supervision;

- (d) may undertake structured training so as to enable them to work at level 2; and

- (e) within the limitations of the skill levels as defined employees will be expected to be responsible for the quality of their own work.

A.1.3 Classification descriptors

- Operator of concrete mixing machine with rated capacity less than 0.12 cubic metres, or mixing by hand
- Pipe tester
- Stacker by hand of articles including bricks, blocks, tiles and pipes
- All other employees not elsewhere classified

A.2 Level 2

A.2.1 Employees who have undertaken the employer's induction programme and who have satisfactorily completed training so as to enable them to perform work at this level.

A.2.2 Employees at this level perform work above and beyond the skills of an employee at level 1 and to the level of their training:

- (a) work under direct supervision either individually or in a team environment;

- (b) have a basic product knowledge;
- (c) understand and utilise basic control procedures;
- (d) understand and undertake basic quality control/assurance procedure including the ability to recognise basic quality deviation/faults; and
- (e) within the limitations of the skill levels as defined employees will be expected to be responsible for the quality of their own work.

A.2.3 Indicative of the tasks which an employee at this level may perform are the following:

- (a) repetition work on a minor machine in a production centre;
- (b) use selected hand tools;
- (c) maintain simple records;
- (d) use hand trolleys and pallet trucks;
- (e) assist in the provision of on-the-job training in conjunction with other employees, supervisors/trainers; and
- (f) use and operation of pendant cranes subject to an employee possessing the required licence or permit.

A.2.4 Classification descriptors

- Operator of concrete mixing machine with a rated capacity of less than 0.4 cubic metres but more than 0.12 cubic metres (3½ cubic feet approximately)
- Colour mixer/applicator operator
- Reinforcement welding machine operator
- Moulder of other cement or concrete articles
- Repairer and/or jointer
- Renderer facing concrete articles with float and trowel
- Mould assembler and/or stripper
- Concrete vibrator operator

- Splitter or cuber operator
- Hydraulic flag press operator
- Operator bending, cutting and/or fixing bars, rods, or reinforcement—other
- Exposed aggregate maker—other, including setting up of moulds and making of reconstructed aggregate
- Machine operator not elsewhere included

A.3 Level 3

A.3.1 Employees who have undertaken the employer's induction programme and who have satisfactorily completed training so as to enable them to perform work at this level.

A.3.2 Employees at this level perform work above and beyond the skills of an employee at level 2 and to the level of their training:

- (a)** are responsible for the quality of their own work subject to routine supervision;
- (b)** work under supervision either individually or in a team environment; and
- (c)** exercise discretion within their level of skill and training.

A.3.3 Indicative of the tasks which an employee at this level may perform are the following:

- (a)** operate flexibly between production centres;
- (b)** operate and set machinery and equipment requiring the exercise of skill and knowledge beyond that of an employee at level 2;
- (c)** operate and is licensed to operate mobile equipment including fork-lifts, overhead cranes and winch operations;
- (d)** basic inventory control in the context of a production process;
- (e)** basic keyboard skills;
- (f)** receiving, dispatching, distributing, sorting, checking and packing (other than repetitive packing in a standard container in which such goods are ordinarily sold) documenting and recording of goods, materials and components;

(g) boiler attendant;

(h) ability to measure accurately; and

(i) assist in the provision of on-the-job training in conjunction with other employees, supervisors/trainers.

A.3.4 Classification descriptors

- Operator of concrete mixing machine with a rated capacity in excess of 0.4 cubic metres (1/2 cubic yard approximately)
- Automatic tile/ridge machine operator
- Maker by hand of tiles, ridges, apexes and starters
- Pipe machine operator
- Employee making pipe specials, i.e. concreting junctions, splays or other articles including the use of cortex and who may be required to work from plans and/or specifications
- Moulder special, employed working from plans and specifications
- Pre-stressed concrete—steel stressing operator
- Automatic block/brick machine operator
- Off-bearer operator
- Operator bending, cutting and/or fixing bars, rods or reinforcement working from plans
- Exposed aggregate maker-finisher (includes control of washing off of wet concrete surfaces)
- Coating machine operator

4. Schedule C - Summary of Monetary Allowances – amend to relevantly read:

See clause 2 for full details of allowances payable under this award.

A.1 Wage-related allowances

- A.1.1** The following wage-related allowances in this award are based on the [standard weekly rate](#) as defined in clause 2 as the minimum weekly wage for the Introductory level in clause 16.2 = **\$812.60**.
- A.1.2** The following wage-related allowances in this award are based on the [standard hourly rate](#) as defined in clause 2 as 1/38th of the standard weekly rate for the Introductory level in clause 16.2 = **\$21.38**.

Sugar Industry Award 2020

AWU PROPOSED AMENDMENTS

1. Clause 19. Minimum rates – amend to relevantly read:

19.1 The following rates apply to adult milling, distillery, refinery and maintenance employees classified under clause Schedule B —Classification Definitions—Milling, Distillery, Refinery and Maintenance:

Classification	Minimum weekly rate (full-time employee)	Minimum hourly rate
	\$	\$
C14/L1	812.60	21.38
L2	823.70	21.68
C13/L3	834.80	21.97
C12/L4	865.20	22.77
C11/L5	893.60	23.52
C10/L6	940.90	24.76
C9/L7	970.40	25.54
C8/L8	999.90	26.31
C7/L9	1026.60	27.02
C6	1078.70	28.39

19.2 Classification definitions in Schedule B —Classification Definitions—Milling, Distillery, Refinery and Maintenance for Level 1 to Level 5 do not apply in sugar mills.

2. Clause 19.5 Junior rates – amend to read:

(a) The minimum rate payable to juniors must be the following percentages of the minimum adult weekly rate corresponding to classification level 1 (C14).

Age	% of the minimum weekly rate for level 1 (C14)
Employees less than 15 years of age	50
Employees at 15 years of age	65
Employees at 16 years of age	75
Employees at 17 years of age	90

3. Schedule B — Classification Definitions—Milling, Distillery, Refinery and Maintenance – amend to relevantly read:

B.1 Milling employees

B.1.0 Milling general operator – level 1 (C14)

An employee at this level is undertaking either or both of the following forms of training:

- (a)** the employer's induction programme which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow workers, training and career path opportunities, plant layout, work and documentation procedures, work health and safety, equal employment opportunity and quality control/assurance.
- (b)** other training to enable them to achieve the level of competence and / or to acquire the skill(s) required to perform work at Level 2.

B.1.1 Milling general operator—level 2

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B.2 Distillery employees

B.2.0 Distilling and services operator – level 1 (C14)

An employee at this level is undertaking either or both of the following forms of training:

- (a)** the employer's induction programme which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow workers, training and career path opportunities, plant layout, work and documentation procedures, work health and safety, equal employment opportunity and quality control/assurance.
- (b)** other training to enable them to achieve the level of competence and / or to acquire the skill(s) required to perform work at Level 2.

B.2.1 Distilling and services operator—level 2

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B.3 Refinery employees

B.3.0 Refinery operator – level 1 (C14)

An employee at this level is undertaking either or both of the following forms of training:

- (a) the employer's induction programme which may include information on the enterprise, conditions of employment, introduction to supervisors and fellow workers, training and career path opportunities, plant layout, work and documentation procedures, work health and safety, equal employment opportunity and quality control/assurance.
- (b) other training to enable them to achieve the level of competence and / or to acquire the skill(s) required to perform work at Level 2.

B.3.1 Refinery operator—level 2

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