

**CURRENT AWARD as at 13 May 2016****Surveying Award 2010****Table of Contents****Part 1— Application and Operation**

1. Title
2. Commencement and transitional
3. Definitions and interpretation
4. Coverage
5. Access to the award and the National Employment Standards
6. The National Employment Standards and this award
7. Award flexibility
8. Facilitative provisions

**Part 2— Consultation and Dispute Resolution**

9. Consultation
10. Dispute resolution

**Part 3— Types of Employment and Termination of Employment**

11. Types of employment
12. Termination of employment
13. Redundancy

**Part 4— Minimum Wages and Related Matters****EXPOSURE DRAFT****Surveying Award 2016****Table of Contents****Part 1— Application and Operation of this award**

1. Title and commencement
2. Definitions
3. The National Employment Standards and this award
4. Coverage
5. Effect of variations made by the Fair Work Commission
6. Award flexibility for individual arrangements
7. Facilitative provisions

**Part 2— Types of Employment and Classifications**

8. Types of employment
9. Full-time employment
10. Part-time employment
11. Casual employment
12. Professional development
13. Classifications

**Part 3— Hours of Work**

14. Ordinary hours of work
15. Rostering arrangements—full-time and part-time employees

14. Classifications

15. Minimum wages

16. Allowances

17. District allowances

18. Payment of wages

19. Accident pay

20. Superannuation

**Part 5— Hours of Work and Related Matters**

21. Ordinary hours of work and rostering

22. Breaks

23. Overtime and penalty rates

**Part 6— Leave and Public Holidays**

24. Annual leave

25. Personal/carer's leave and compassionate leave

26. Community service leave

27. Public holidays

**Schedule A —Transitional Provisions**

**Schedule B —Classification Structure and Definitions**

**Schedule C —Supported Wage System**

**Schedule D —School-based Apprentices**

**Schedule E —2015 Part-day Public Holidays**

16. Breaks

**Part 4— Wages and Allowances**

17. Minimum wages

18. Allowances

19. Superannuation

**Part 5— Overtime and Penalty Rates**

20. Overtime and penalty rates

**Part 6— Leave and Public Holidays**

21. Annual leave

22. Personal/carer's leave and compassionate leave

23. Parental leave and related entitlements

24. Public holidays

25. Community service leave

**Part 7— Consultation and Dispute Resolution**

26. Consultation about major workplace change

27. Consultation about changes to rosters or hours of work

28. Dispute resolution

**Part 8— Termination of Employment and Redundancy**

29. Termination of employment

30. Redundancy

31. Transfer to lower paid job on redundancy

32. Employee leaving during redundancy notice period

33. Job search entitlement

|  |  |
|--|--|
|  | <p><b>Schedule A —Classification Structure and Definitions</b></p> <p><b>Schedule B —Summary of Hourly Rates of Pay</b></p> <p><b>Schedule C —Summary of Monetary Allowances</b></p> <p><b>Schedule D —Supported Wage System</b></p> <p><b>Schedule E —School-based Apprentices</b></p> <p><b>Schedule F —2015 Part-day Public Holidays</b></p>  |
| <p><b>Part 1—Application and Operation</b></p> <p><b>1. Title</b></p> <p>This award is the <i>Surveying Award 2010</i>.</p>  | <p><b>Part 1—Application and Operation</b></p> <p><b>1. Title and commencement</b></p> <p><b>1.1</b> This award is the <i>Surveying Award 2016</i>.</p>  |
| <p><b>2. Commencement and transitional</b></p> <p><b>2.1</b> This award commences on 1 January 2010.</p> <p><b>2.2</b> The monetary obligations imposed on employers by this award may be absorbed into overaward payments. Nothing in this award requires an employer to maintain or increase any overaward payment.</p> <p><b>2.3</b> This award contains transitional arrangements which specify when particular parts of the award come into effect. Some of the transitional arrangements are in clauses in the main part of the award. There are also transitional arrangements in Schedule A. The arrangements in Schedule A deal with:</p> <ul style="list-style-type: none"> <li>• minimum wages and piecework rates</li> <li>• casual or part-time loadings</li> <li>• Saturday, Sunday, public holiday, evening or other penalties</li> <li>• shift allowances/penalties.</li> </ul> <p><b>2.4</b> Neither the making of this award nor the operation of any transitional</p> | <p><i>References to transitional arrangements removed – obsolete</i></p> <p><b>1.2</b> This modern award, as varied, commenced operation on 1 January 2010.</p> <p><b>1.3</b> Neither the making of this award nor the operation of any transitional arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.</p> |

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| <p>arrangements is intended to result in a reduction in the take-home pay of employees covered by the award. On application by or on behalf of an employee who suffers a reduction in take-home pay as a result of the making of this award or the operation of any transitional arrangements, the Fair Work Commission may make any order it considers appropriate to remedy the situation.</p> <p><b>2.5</b> The Fair Work Commission may review the transitional arrangements in this award and make a determination varying the award.</p> <p><b>2.6</b> The Fair Work Commission may review the transitional arrangements:</p> <p>(a) on its own initiative; or</p> <p>(b) on application by an employer, employee, organisation or outworker entity covered by the modern award; or</p> <p>(c) on application by an organisation that is entitled to represent the industrial interests of one or more employers or employees that are covered by the modern award; or</p> <p>(d) in relation to outworker arrangements, on application by an organisation that is entitled to represent the industrial interests of one or more outworkers to whom the arrangements relate.</p> |   |
| <p><b>3. Definitions and interpretation</b></p> <p><b>3.1</b> In this award, unless the contrary intention appears:</p> <p><b>Act</b> means the <i>Fair Work Act 2009</i> (Cth)</p> <p><b>agreement-based transitional instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>award-based transitional instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p> <p><b>default fund employee</b> means an employee who has no chosen fund within the meaning of the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p>   | <p><i>Definitions relating to transitional instruments removed - obsolete</i></p> <p><b>2. Definitions</b></p> <p>In this award, unless the contrary intention appears:</p> <p><b>Act</b> means the <i>Fair Work Act 2009</i> (Cth)</p> <p><b>defined benefit member</b> has the meaning given by the <i>Superannuation Guarantee (Administration) Act 1992</i> (Cth)</p> <p><b>employee</b> means national system employee within the meaning of the Act</p> <p><b>employer</b> means national system employer within the meaning of the Act</p> <p><b>exempt public sector superannuation scheme</b> has the meaning given by the <i>Superannuation Industry (Supervision) Act 1993</i> (Cth)</p> <p><b>Graduate surveyor</b> means a person who possesses a bachelor degree in a</p> |

**defined benefit member** has the meaning given by the *Superannuation Guarantee (Administration) Act 1992* (Cth)

**Division 2B State award** has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**Division 2B State employment agreement** has the meaning in Schedule 3A of the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**employee** means national system employee within the meaning of the Act

**employer** means national system employer within the meaning of the Act

**enterprise award-based instrument** has the meaning in the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* (Cth)

**exempt public sector superannuation scheme** has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

**Graduate surveyor** means a person who possesses a bachelor degree in a relevant spatial discipline and who is eligible for admission as an Associate Member - Graduate of the Surveying and Spatial Sciences Institute.

**Licensed Registered surveyor** is an employee who is required to be registered in accordance with the provisions of relevant legislation, and/or endorsed (if required), and qualified to carry out surveying duties.

**MySuper product** has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

**NES** means the National Employment Standards as contained in sections 59 to 131 of the *Fair Work Act 2009* (Cth)

**on-hire** means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client

**professional surveying duties** means duties carried out by a person in a particular employment the adequate discharge of any portion of which duties requires Graduate qualifications of the employee acceptable to

relevant spatial discipline and who is eligible for admission as an Associate Member—Graduate of the Surveying and Spatial Sciences Institute

**Licensed/Registered surveyor** is an employee who is required to be registered in accordance with the provisions of relevant legislation, and/or endorsed (if required), and qualified to carry out surveying duties

**MySuper product** has the meaning given by the *Superannuation Industry (Supervision) Act 1993* (Cth)

**NES** means the National Employment Standards as contained in sections 59 to 131 of the *Fair Work Act 2009* (Cth)

**on-hire** means the on-hire of an employee by their employer to a client, where such employee works under the general guidance and instruction of the client or a representative of the client

**professional surveying duties** means duties carried out by a person with Graduate qualifications acceptable to Surveying and Spatial Sciences Institute for admission to the grade of Associate member

**Professional surveyor** means an employee qualified to carry out professional surveying duties as defined. The term Professional surveyor will include Graduate surveyor and Licensed/Registered surveyor and other Professional surveyors whose field of surveying does not require formal registration.

**standard rate** means the minimum hourly rate for a Level 10 in clause 17.1(a)

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| <p>Surveying and Spatial Sciences Institute for admission to the grade of Associate member.</p> <p><b>Professional surveyor</b> means an employee qualified to carry out professional surveying duties as defined. The term Professional surveyor will include Graduate surveyor and Licensed/Registered surveyor and other Professional Surveyors whose field of surveying does not require formal registration.</p> <p><b>standard rate</b> means the minimum hourly rate for a Level 10 in clause 15.1(a)</p> <p><b>transitional minimum wage instrument</b> has the meaning in the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)</p>  |   |
| <p><b>3.2</b> Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>  | <p><i>Moved to clause 3—The National Employment Standards and this Award</i></p> <p><b>3.2</b> Where this award refers to a condition of employment provided for in the NES, the NES definition applies.</p>  |
| <p><b>4. Coverage</b></p> <p><b>4.1</b> This occupational award covers employers throughout Australia who employ professional surveyors and other employees in the classifications listed in Schedule B—Classification Structure and Definitions and their employees to the exclusion of any other modern award.</p> <p><b>4.2</b> The award does not cover employees of a local government covered by another award.</p> <p><b>4.3</b> The award does not cover an employee excluded from award coverage by the Act.</p> <p><b>4.4</b> The award does not cover employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</p> <p><b>4.5</b> The award does not cover employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or</p> | <p><b>4. Coverage</b></p> <p><b>4.1</b> This occupational award covers employers throughout Australia who employ professional surveyors and other employees in the classifications listed in Schedule A—Classification Structure and Definitions and their employees to the exclusion of any other modern award.</p> <p><b>4.2</b> <b>Professional surveyor</b> means an employee qualified to carry out professional surveying duties as defined. The term Professional surveyor will include Graduate surveyor and Licensed/Registered surveyor and other Professional surveyors whose field of surveying does not require formal registration.</p> <p><b>4.3</b> This award covers any employer which supplies on-hire employees in classifications set out in Schedule A and those on-hire employees, if the employer is not covered by another modern award containing a classification which is more appropriate to the work performed by the employee. This subclause operates subject to the exclusions from coverage in this award.</p> <p><b>4.4</b> This award covers employers which provide group training services for trainees engaged in any of the classifications set out in Schedule A and</p> |

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| <p>employers in relation to those employees.</p> <p><b>4.6</b> This award covers any employer which supplies on-hire employees in classifications set out in Schedule B and those on-hire employees, if the employer is not covered by another modern award containing a classification which is more appropriate to the work performed by the employee. This subclause operates subject to the exclusions from coverage in this award.</p> <p><b>4.7</b> This award covers employers which provide group training services for trainees engaged in the industry and/or parts of industry set out at clause 4.1 and those trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This clause operates subject to the exclusions from coverage in this award.</p> <p><b>4.8</b> Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.</p> | <p>those trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This clause operates subject to the exclusions from coverage in this award.</p> <p><b>4.5</b> This award does not cover employees of a local government covered by another award.</p> <p><b>4.6</b> This award does not cover:</p> <ul style="list-style-type: none"> <li>(a) an employee excluded from award coverage by the Act;</li> <li>(b) employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees; or</li> <li>(c) employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the <i>Fair Work (Transitional Provisions and Consequential Amendments) Act 2009</i> (Cth)), or employers in relation to those employees.</li> </ul> <p><b>4.7</b> Where an employer is covered by more than one award, an employee of that employer is covered by the award classification which is most appropriate to the work performed by the employee and to the environment in which the employee normally performs the work.</p> |
| <p><i>Clause inserted – proposed new provision</i></p>  | <p><b>5. Effect of variations made by the Fair Work Commission</b></p> <p>A variation to this award does not affect any right, privilege, obligation or liability that a person acquired, accrued or incurred under the award as it existed prior to that variation.</p>   |

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| <p><b>5. Access to the award and the National Employment Standards</b></p> <p>The employer must ensure that copies of this award and the NES are available to all employees to whom they apply either on a noticeboard which is conveniently located at or near the workplace or through electronic means, whichever makes them more accessible.</p> <p><b>6. The National Employment Standards and this award</b></p> <p>The NES and this award contain the minimum conditions of employment for employees covered by this award.</p>   | <p><b>3. The National Employment Standards and this award</b></p> <p><b>3.1</b> The National Employment Standards (NES) and this award contain the minimum conditions of employment for employees covered by this award.</p> <p><b>3.3</b> The employer must ensure that copies of the award and the NES are available to all employees to whom they apply, either on a notice board which is conveniently located at or near the workplace or through accessible electronic means.</p>  |
| <p><b>7. Award flexibility</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>  | <p><b>6. Award flexibility</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>  |
| <p><b>8. Facilitative provisions</b></p> <p><b>8.1 Agreement to vary award provisions</b></p> <p>(a) This award contains facilitative provisions which allow agreement between an employer and employees on how specific award provisions are to apply at the workplace or section or sections of it. The facilitative provisions are identified in clauses 8.2(a) and 8.3(a).</p> <p>(b) The specific award provisions establish both the standard award conditions and the framework within which agreement can be reached as to how the particular provisions would be applied in practice.</p> <p>(c) Facilitative provisions are not a device to avoid award obligations, nor should they result in unfairness to an employee or employees covered by this award.</p> <p><b>8.2 Facilitation by individual agreement</b></p> <p>(a) The following facilitative provisions can be utilised upon agreement between an employer and an employee provided that the agreement complies with clause 8.2(b):</p> | <p><b>7. Facilitative provisions</b></p> <p><b>7.1 Agreement to vary award provisions</b></p> <p>(a) This award contains facilitative provisions which allow agreement between an employer and employees on how specific award provisions are to apply at the workplace or section or sections of it. The facilitative provisions are identified in clauses 7.2(a) and 7.3(a).</p> <p>(b) The specific award provisions establish both the standard award conditions and the framework within which agreement can be reached as to how the particular provisions would be applied in practice.</p> <p>(c) Facilitative provisions are not a device to avoid award obligations, nor should they result in unfairness to an employee or employees covered by this award.</p> <p><b>7.2 Facilitation by individual agreement</b></p> <p>(a) The following facilitative provisions can be utilised upon agreement between an employer and an employee provided that the agreement complies with clause 7.2(b):</p> |



| Clause title  | Clause number | Clause title  | Clause number |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
|---|---------------|---|---------------|---|--------------|---------------|-----------------|------|--|---------|-----------------------------|------|--|--------------|---------------|-----------------|------|
| Part-time hours and variations to them  | 11.3          | Part-time hours and variations to them  | 10.2          |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Monthly payment of wages  | 18.1          | Change to rostered day off  | 15.1          |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Method of payment of wages  | 18.2          | Accumulation of rostered days off   | 15.3          |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Change to rostered day off  | 21.2          | Meal breaks   | 16.1(a)       |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Accumulation of rostered days off   | 21.4          | Monthly payment of wages  | 17.6(a)       |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Meal breaks   | 22.1          | Method of payment of wages  | 17.6(b)       |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Time off instead of overtime  | 23.1(b)       | Time off instead of overtime  | 20.2          |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Alternatives to time off instead of overtime  | 23.1(c)       | Alternatives to time off instead of overtime  | 20.2(b)       |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Change to meal break on overtime  | 23.6          | Change to meal break on overtime  | 20.6(a)       |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| <p>(b) The agreement reached must be kept by the employer as a time and wages record.</p> |               | <p>(b) The agreement reached must be kept by the employer as a time and wages record.</p> |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
|   |               |   |               | <p><b>8.3 Facilitation by majority agreement</b></p> <p>(a) The following facilitative provisions can be utilised only upon agreement between the employer and the majority of employees in the workplace or section or sections of it, provided the requirements of 8.2(b), 8.3(b) and 8.3(c) have been met.</p> <table border="1"> <thead> <tr> <th data-bbox="85 1161 1093 1228">Clause title</th> <th data-bbox="85 1161 1093 1228">Clause number</th> </tr> </thead> <tbody> <tr> <td data-bbox="85 1228 1093 1295">Spread of hours</td> <td data-bbox="85 1228 1093 1295">21.1</td> </tr> <tr> <td data-bbox="85 1295 1093 1362">Spread of hours during daylight saving</td> <td data-bbox="85 1295 1093 1362">21.1(b)</td> </tr> <tr> <td data-bbox="85 1362 1093 1452">Working less than five days</td> <td data-bbox="85 1362 1093 1452">21.2</td> </tr> </tbody> </table> | Clause title | Clause number | Spread of hours | 21.1 | Spread of hours during daylight saving | 21.1(b) | Working less than five days | 21.2 | <p><b>7.3 Facilitation by majority agreement</b></p> <p>(a) The following facilitative provisions can be utilised only upon agreement between the employer and the majority of employees in the workplace or section or sections of it, provided the requirements of clauses 7.2(b), 7.3(b) and 7.3(c) have been met.</p> <table border="1"> <thead> <tr> <th data-bbox="1093 1161 1845 1228">Clause title</th> <th data-bbox="1093 1161 2112 1228">Clause number</th> </tr> </thead> <tbody> <tr> <td data-bbox="1093 1228 1845 1295">Spread of hours</td> <td data-bbox="1093 1228 2112 1295">14.2</td> </tr> <tr> <td data-bbox="1093 1295 1845 1362">Spread of hours during daylight saving</td> <td data-bbox="1093 1295 2112 1362">14.3</td> </tr> <tr> <td data-bbox="1093 1362 1845 1452">Working less than five days</td> <td data-bbox="1093 1362 2112 1452">15.1</td> </tr> </tbody> </table> | Clause title | Clause number | Spread of hours | 14.2 |
| Clause title  | Clause number |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Spread of hours   | 21.1          |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Spread of hours during daylight saving  | 21.1(b)       |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Working less than five days   | 21.2          |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Clause title  | Clause number |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Spread of hours   | 14.2          |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Spread of hours during daylight saving  | 14.3          |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |
| Working less than five days   | 15.1          |   |               |   |              |               |                 |      |  |         |                             |      |  |              |               |                 |      |

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| <p style="text-align: center;">Substitution of public holidays <span style="float: right;">27.3</span></p> <p>(b) Where agreement has been reached with the majority of employees in the workplace, or a section or sections of it, to implement a facilitative provision in clause 8.3(a), that agreement is binding on all such employees.</p> <p>(c) If there are employees of the enterprise covered by this award who are members of the union, the employer must inform the union/s of the intention to use the facilitative provision and the union/s must be given a reasonable opportunity to participate in negotiations regarding its use. Union involvement in this process does not mean that the consent of the union is required prior to the introduction of agreed facilitative arrangements at the enterprise.</p> <p>(d) A vote of employees in the workplace, a section or sections of it, taken in accordance with this subclause, to determine if there is a majority employee support for implementation of a facilitative provision, will be of no effect unless taken with the agreement of the employer.</p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; text-align: center;">Substitution of public holidays</td> <td style="width: 20%; text-align: center;">24.3</td> </tr> </table> <p>(b) Where agreement has been reached with the majority of employees in the workplace, or a section or sections of it, to implement a facilitative provision in clause 7.3(a), that agreement is binding on all such employees.</p> <p>(c) If there are employees of the enterprise covered by this award who are members of a union, the employer must inform the union/s of the intention to use the facilitative provision and the union/s must be given a reasonable opportunity to participate in negotiations regarding its use. Union involvement in this process does not mean that the consent of the union is required prior to the introduction of agreed facilitative arrangements at the enterprise.</p> <p>(d) A vote of employees in the workplace, a section or sections of it, taken in accordance with this subclause, to determine if there is a majority employee support for implementation of a facilitative provision, will be of no effect unless taken with the agreement of the employer.</p> | Substitution of public holidays | 24.3 |
| Substitution of public holidays  | 24.3  |                                 |      |
| <p><b>Part 2—Consultation and Dispute Resolution</b></p> <p><b>9. Consultation</b></p> <p><i>Provision not reproduced - standard clause - no change other than numbering and changes to clause titles</i></p>  | <p><b>Part 7—Consultation and Dispute Resolution</b></p> <p><b>26. Consultation about major workplace change</b></p> <p><b>27. Consultation about changes to rosters or hours of work</b></p> <p><i>Provision not reproduced - standard clause - no change other than numbering and changes to clause titles</i></p>  |                                 |      |
| <p><b>10. Dispute resolution</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>  | <p><b>28. Dispute resolution</b></p> <p><i>Provision not reproduced - standard clause - no change</i></p>   |                                 |      |

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| <p><b>Part 3—Types of Employment and Termination of Employment</b></p> <p><b>11. Types of employment</b></p> <p><b>11.1 Employment categories</b></p> <p>(a) Employees under this award are to be employed in one of the following categories:</p> <p>(i) full-time;</p> <p>(ii) part-time; or</p> <p>(iii) casual</p> <p>(b) At the time of engagement the employer must inform each employee in writing of the terms of their engagement and classification.</p> | <p><b>Part 2—Types of Employment and Classifications</b></p> <p><b>8. Types of employment</b></p> <p><b>8.1</b> Employees under this award are to be employed in one of the following categories:</p> <p>(a) full-time;</p> <p>(b) part-time; or</p> <p>(c) casual.</p> <p><b>8.2</b> At the time of engagement the employer must inform each employee in writing of the terms of their engagement and classification.</p>  |
| <p><b>11.2 Casual employment</b></p> <p>(a) A casual employee means an employee specifically engaged as such.</p> <p>(b) A casual employee will be paid per hour 1/38th of the weekly rate prescribed in this award for the work performed. In addition, a casual employee will receive a 25% loading instead of annual leave, personal/carer’s leave, bereavement leave and public holidays.</p>  | <p><b>11. Casual employment</b></p> <p><b>11.1</b> A casual employee means an employee specifically engaged as a casual employee.</p> <p><b>11.2</b> For each ordinary hour worked, a casual employee will be paid the minimum hourly rate for the work performed. In addition, a casual employee will receive a <b>25%</b> loading instead of annual leave, personal/carer’s leave, bereavement leave and public holidays.</p> <p><b>12. Professional development</b></p> <p><b>12.1</b> It is the responsibility of the employees to keep themselves informed of developments in their profession, and to develop their professional knowledge and ability and it is appropriate for employees to be encouraged to undertake self-development programs.</p> <p><b>12.2</b> Where, the employee and the employer agree that an activity be undertaken by the employee as a component of a structured training program or otherwise, the employer will meet all costs associated with the training.</p> |

|   |   |
|---|---|
| <p><b>11.3 Part-time employment</b></p> <p>(a) A part-time employee is an employee engaged specifically to regularly work less hours per day or week than a full-time employee on such specified days and hours as agreed in writing at the commencement of engagement. Such specified days and hours cannot be altered without mutual agreement between the employer and employee and any variation must be recorded in writing.</p> <p>(b) An employer is required to roster a part-time employee for a minimum of three consecutive hours for any shift.</p> <p>(c) Part-time employees are to be paid per hour 1/38th of the weekly rate prescribed for the work performed.</p> <p>(d) The terms of this award will apply pro rata to part-time employees on the basis that ordinary weekly hours for full-time employees are 38.</p> <p>(e) The rates for overtime, Sunday and public holiday work apply respectively for time worked in excess of the specified hours in accordance with clause 11.3(a).</p> <p>(f) An employee whose employment is terminated while working:</p> <ul style="list-style-type: none"> <li>• part-time after converting from full-time; or</li> <li>• full-time after converting or reverting from part-time;</li> </ul> <p>is entitled to all termination payments under this award at the full-time rate of pay applying to their work.</p> | <p><b>10. Part-time employment</b></p> <p><b>10.1</b> A part-time employee is an employee engaged specifically to regularly work less hours per day or week than a full-time employee on specific days and hours.</p> <p><b>10.2</b> The specified days and hours, as agreed in writing at the commencement of engagement, cannot be altered without mutual agreement between the employer and employee and any variation must be recorded in writing.</p> <p><b>10.3</b> An employer is required to roster a part-time employee for a minimum of three consecutive hours for any shift.</p> <p><b>10.4</b> For each ordinary hour worked, a part-time employee will be paid the minimum hourly rate prescribed for the work performed.</p> <p><b>10.5</b> The terms of this award will apply pro rata to part-time employees on the basis that ordinary weekly hours for full-time employees are 38.</p> <p><b>10.6</b> The rates for overtime, Sunday and public holiday work apply respectively for time worked in excess of the specified hours in accordance with clause 10.2.</p> <p><b>10.7</b> An employee whose employment is terminated while working:</p> <p>(a) part-time after converting from full-time; or</p> <p>(b) full-time after converting or reverting from part-time;</p> <p>is entitled to all termination payments under this award at the full-time rate of pay applying to their work.</p> |
| <p><i>Clause 11.3(b) moved to clause 8.3</i></p> <p>(g) Length of service for the purposes of all termination payments under this award are calculated on the basis of the total of:</p> <ul style="list-style-type: none"> <li>• all periods of full-time employment; and</li> <li>• all periods of part-time employment being converted to the pro rata full-time equivalent.</li> </ul>  | <p><b>8.3</b> Length of service for the purposes of all termination payments under this award are calculated on the basis of the total of:</p> <p>(a) all periods of full-time employment; and</p> <p>(b) all periods of part-time employment being converted to the pro rata full-time equivalent.</p>   |

|  |   |
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| <p><b>11.4 Full-time employment</b></p> <p>Any employee not specifically engaged as being a part-time or casual employee is for all purposes of this award a full-time employee, unless otherwise specified in the award.</p>  | <p><b>9. Full-time employment</b></p> <p>Any employee not specifically engaged as being a part-time or casual employee is for all purposes of this award a full-time employee, unless otherwise specified in the award.</p>   |
| <p><b>11.5 Professional development</b></p> <p>(a) It is understood and accepted that it is the responsibility of the employees to keep themselves informed of developments in their profession, and to develop their professional knowledge and ability and that it is appropriate for employees to be encouraged to undertake self-development programs.</p> <p>(b) Where, the employee and the employer agree that an activity be undertaken by the employee as a component of a structured training program or otherwise, the employer will meet all costs associated with the training.</p> | <p><b>12. Professional development</b></p> <p><b>12.1</b> It is the responsibility of the employees to keep themselves informed of developments in their profession, and to develop their professional knowledge and ability and it is appropriate for employees to be encouraged to undertake self-development programs.</p> <p><b>12.2</b> Where, the employee and the employer agree that an activity be undertaken by the employee as a component of a structured training program or otherwise, the employer will meet all costs associated with the training.</p> |
| <p><i>Moved to new Part 8</i></p> <p><b>12. Termination of employment</b></p> <p><i>Provision not reproduced - no change</i></p> <p><b>12.3 Job search entitlement</b></p> <p><i>Clause 12.3 and 13.4 moved to clause 33</i></p>   | <p><b>Part 8—Termination of Employment and Redundancy</b></p> <p><b>29. Termination of employment</b></p> <p><i>Clause 12.3 and 13.4 moved to clause 33</i></p>   |
| <p><b>13. Redundancy</b></p> <p><i>Provision not reproduced - no change other than renumbering of clause and clause titles (transitional provisions removed)</i></p> <p><b>13.2 Transfer to lower paid duties</b></p> <p><b>13.3 Employee leaving during notice period</b></p> <p><b>13.4 Job search entitlement</b></p>   | <p><b>30. Redundancy</b></p> <p><i>Provision not reproduced - no change other than renumbering of clause and clause titles (transitional provisions removed)</i></p> <p><b>31. Transfer to lower paid job on redundancy</b></p> <p><b>32. Employee leaving during redundancy notice period</b></p> <p><b>33. Job search entitlement</b></p>   |

| <p><b>13.2 Transitional provisions – NAPSA employees</b></p> <p><b>13.3 Transitional provisions – Division 2B State employees</b></p>  | <p><i>Provisions removed - obsolete</i></p>   |                     |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
|--|---|---------------------|-------------|--|----|----|----------|-------|--------|----------|-------|--------|----------|-------|--------|---------|-------|--------|---------|-------|--------|---|------------|---------------------|---------------------|--|----|----|----------|--------|-------|----------|--------|-------|----------|--------|-------|---------|--------|-------|
| <p><b>Part 4—Minimum Wages and Related Matters</b></p> <p><b>14. Classifications</b><br/>The classification structure and definitions for employees covered by this award are set out in Schedule B—Classification Structure and Definitions.</p> <p><b>14.1 Disclosure of qualifications</b><br/><br/>An employee who is employed in, or who is an applicant for employment covered by this award will, if and when required to do so by their employer or an employer to whom they have applied for employment, produce to their employer or prospective employer written evidence that they possess or have acquired the qualifications necessary for the classification applied for.</p>                                     | <p><i>Clause moved to Part 2</i></p> <p><b>13. Classifications</b></p> <p><b>13.1</b> The classification structure and definitions for employees covered by this award are set out in Schedule A—Classification Structure and Definitions.</p> <p><b>13.2 Disclosure of qualifications</b><br/><br/>An employee who is employed in, or who is an applicant for employment covered by this award will, if and when required to do so by their employer or an employer to whom they have applied for employment, produce to their employer or prospective employer written evidence that they possess or have acquired the qualifications necessary for the classification applied for.</p> |                     |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| <p><b>15. Minimum wages</b></p> <p><b>15.1 Wages</b></p> <p>(a) The classification structure listed below is to be read in conjunction with Schedule B—Classification Structure and Definitions.</p> <table border="1" data-bbox="268 973 1008 1436"> <thead> <tr> <th>Wage group</th> <th>Hourly rate</th> <th>Weekly rate</th> </tr> <tr> <th></th> <th>\$</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Level 12</td> <td>17.79</td> <td>675.90</td> </tr> <tr> <td>Level 11</td> <td>18.80</td> <td>714.40</td> </tr> <tr> <td>Level 10</td> <td>20.13</td> <td>764.90</td> </tr> <tr> <td>Level 9</td> <td>21.39</td> <td>812.80</td> </tr> <tr> <td>Level 8</td> <td>23.08</td> <td>876.90</td> </tr> </tbody> </table> | Wage group  | Hourly rate         | Weekly rate |  | \$ | \$ | Level 12 | 17.79 | 675.90 | Level 11 | 18.80 | 714.40 | Level 10 | 20.13 | 764.90 | Level 9 | 21.39 | 812.80 | Level 8 | 23.08 | 876.90 | <p><b>Part 4—Wages and Allowances</b></p> <p><b>17. Minimum wages</b></p> <p><b>17.1 Adult wages</b></p> <p>(a) The classification structure listed below is to be read in conjunction with Schedule A—Classification Structure and Definitions.</p> <table border="1" data-bbox="1299 1021 2016 1436"> <thead> <tr> <th>Wage group</th> <th>Minimum weekly rate</th> <th>Minimum hourly rate</th> </tr> <tr> <th></th> <th>\$</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Level 12</td> <td>675.90</td> <td>17.79</td> </tr> <tr> <td>Level 11</td> <td>714.40</td> <td>18.80</td> </tr> <tr> <td>Level 10</td> <td>764.90</td> <td>20.13</td> </tr> <tr> <td>Level 9</td> <td>812.80</td> <td>21.39</td> </tr> </tbody> </table> | Wage group | Minimum weekly rate | Minimum hourly rate |  | \$ | \$ | Level 12 | 675.90 | 17.79 | Level 11 | 714.40 | 18.80 | Level 10 | 764.90 | 20.13 | Level 9 | 812.80 | 21.39 |
| Wage group   | Hourly rate   | Weekly rate         |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
|  | \$  | \$                  |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 12   | 17.79   | 675.90              |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 11   | 18.80   | 714.40              |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 10   | 20.13   | 764.90              |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 9  | 21.39   | 812.80              |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 8  | 23.08   | 876.90              |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Wage group   | Minimum weekly rate   | Minimum hourly rate |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
|  | \$  | \$                  |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 12   | 675.90  | 17.79               |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 11   | 714.40  | 18.80               |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 10   | 764.90  | 20.13               |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |
| Level 9  | 812.80  | 21.39               |             |  |    |    |          |       |        |          |       |        |          |       |        |         |       |        |         |       |        |   |            |                     |                     |  |    |    |          |        |       |          |        |       |          |        |       |         |        |       |

|         |       |         |         |         |       |
|---------|-------|---------|---------|---------|-------|
| Level 7 | 23.55 | 894.80  | Level 8 | 876.90  | 23.08 |
| Level 6 | 24.18 | 918.80  | Level 7 | 894.80  | 23.55 |
| Level 5 | 25.44 | 966.90  | Level 6 | 918.80  | 24.18 |
| Level 4 | 26.08 | 991.00  | Level 5 | 966.90  | 25.44 |
| Level 3 | 27.22 | 1034.30 | Level 4 | 991.00  | 26.08 |
| Level 2 | 29.75 | 1130.60 | Level 3 | 1034.30 | 27.22 |
| Level 1 | 33.55 | 1274.80 | Level 2 | 1130.60 | 29.75 |
|         |       |         | Level 1 | 1274.80 | 33.55 |

**15.2 Junior rates**

The weekly rate for juniors is the appropriate percentage of the Level 10 rate in accordance with clause 15.1, as follows:

| Age | Relativity |
|-----|------------|
|     | %          |
| 17  | 52         |
| 18  | 62         |
| 19  | 75         |
| 20  | 88         |

**15.3** Employees who possess relevant technical qualifications on commencement of employment under this award are paid in accordance with clause 15.5.

**15.4** Professional surveyors/Licensed surveyors receive incremental advancement in accordance with clause B.1.16(a).

**17.2 Junior rates**

The rate for juniors is the appropriate percentage of the Level 10 rate in accordance with clause 17.1, as follows:

| Age | % of Level 10 rate |
|-----|--------------------|
| 17  | 52                 |
| 18  | 62                 |
| 19  | 75                 |
| 20  | 88                 |

**17.3** Employees who possess relevant technical qualifications without relevant work experience on commencement of employment under this award are paid in accordance with clause 17.5.

**17.4** Professional surveyors/Licensed surveyors receive incremental advancement in accordance with clause A.15.2.

**15.5 Phasing in of wage rate of employees without relevant work experience**

An employee who possesses the appropriate level of academic qualifications and who otherwise meets the requirements of the relevant classification, but who is without prior experience in the industry or other relevant work experience, is to be paid in accordance with the following formula:

| Qualification    | Years of relevant work experience | % of award rate of pay |
|------------------|-----------------------------------|------------------------|
| Diploma          | 0                                 | 77 of Level 7 rate     |
|                  | 1                                 | 85 of Level 7 rate     |
|                  | 2                                 | 96 of Level 7 rate     |
|                  | 3                                 | 100 of Level 7 rate    |
| Advanced diploma | 0                                 | 72 of Level 5 rate     |
|                  | 1                                 | 79 of Level 5 rate     |
|                  | 2                                 | 89 of Level 5 rate     |
|                  | 3                                 | 93 of Level 5 rate     |
|                  | 4                                 | 100 of Level 5 rate    |

*Clause inserted – proposed new provision*

**17.5 Phasing in of wage rate of employees without relevant work experience**

An employee who possesses the appropriate level of academic qualifications and who otherwise meets the requirements of the relevant classification, but who is without prior experience in the industry or other relevant work experience, is to be paid in accordance with the following formula:

| Qualification    | Years of relevant work experience | % of award rate of pay |
|------------------|-----------------------------------|------------------------|
| Diploma          | 0                                 | 77 of Level 7 rate     |
|                  | 1                                 | 85 of Level 7 rate     |
|                  | 2                                 | 96 of Level 7 rate     |
|                  | 3                                 | 100 of Level 7 rate    |
| Advanced diploma | 0                                 | 72 of Level 5 rate     |
|                  | 1                                 | 79 of Level 5 rate     |
|                  | 2                                 | 89 of Level 5 rate     |
|                  | 3                                 | 93 of Level 5 rate     |
|                  | 4                                 | 100 of Level 5 rate    |

**17.7 Supported wage system**

For employees who because of the effects of a disability are eligible for a supported wage, see Schedule D—Supported Wage System.



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| <p><i>Clause inserted – proposed new provision</i></p>  | <p><b>17.8 School-based apprentices</b></p> <p>For school-based apprentices, see Schedule E—School-based Apprentices.</p>  |
| <p><b>16. Allowances</b></p> <p><b>16.1 Meal allowance</b></p> <p>An employee required to work on a Sunday or public holiday for more than four hours must either be supplied with a meal by the employer or paid \$11.73 for the meal taken during the first and/or subsequent rest break.</p>   | <p><b>18. Allowances</b></p> <p><b>18.1</b> Employers must pay to an employee the allowances the employee is entitled to under this clause. See Schedule C for a summary of monetary allowances and method of adjustment.</p> <p><b>18.2 Meal allowance</b></p> <p>(a) An employee required to work beyond two hours after the usual finishing time of work must be paid a meal allowance of <b>\$11.73</b> for the meal and for each subsequent meal, or be provided with an adequate meal.</p> <p>(b) An employee required to work on a Sunday or public holiday for more than four hours must either be supplied with a meal by the employer or paid <b>\$11.73</b> for the meal taken during the first and/or subsequent rest break.</p> |
| <p><b>16.2 Fares</b></p> <p>(a) If an employee is directed to work at a place other than their usual place of employment, all reasonable fares necessarily incurred by them each day in excess of the normal fares of travelling from their home to their usual place of employment and return must be paid by the employer.</p> <p>(b) If an employee is directed to work at a place other than their usual place of employment the fare which is payable under this clause must be such as to enable them to travel economy class, where available.</p> | <p><b>18.3 Fares</b></p> <p>(a) If an employee is directed to work at a place other than their usual place of employment all reasonable fares necessarily incurred by them each day in excess of the normal fares of travelling from their home to their usual place of employment and return must be paid by the employer.</p> <p>(b) The fare which is payable under clause 18.3(b) must enable them to travel economy class, where available.</p>   |

|  |  |
|--|--|
| <p><b>16.3 Air travel</b></p> <p>Air travel will be economy class. In the case of economy air travel the allowance prescribed in clause 16.1 must be paid for each meal period occurring during the duration of the travel, provided the employee did not receive a meal in flight for each period concerned.</p>  | <p><b>18.4 Air travel</b></p> <p>Air travel will be economy class. In the case of economy air travel the allowance prescribed in clause 18.2 must be paid for each meal period occurring during the duration of the travel, provided the employee did not receive a meal in flight for each period concerned.</p>  |
| <p><b>16.4 Travelling time payment</b></p> <p>Where an employee is directed to work at a place other than their usual place of employment, all time occupied by them on any day in travelling which is in excess of the time normally occupied in travelling when working at their usual place of employment is deemed to be working time. Provided that where the excess travelling time is in excess of one hour each way, the employer has the option, subject to mutual agreement between the employer and employee concerned, of providing reasonable living away from home expenses for any period in excess of four weeks.</p> <p><b>16.5 Living away from home allowance</b></p> <p>An employee required by their employer to work temporarily away from their usual place of employment and, as a result, is required to sleep away from their usual place of residence, is entitled to the following:</p> <ul style="list-style-type: none"> <li>(a) fares to and from the place at which their employer requires the employee to work;</li> <li>(b) all reasonable expenses including board and lodging; and</li> <li>(c) payment at ordinary rates of pay for all time spent in travelling between the employee's usual place of employment and the temporary location, such paid time not to exceed 7.6 hours in 24 hours.</li> </ul> | <p><b>18.5 Travelling time payment</b></p> <ul style="list-style-type: none"> <li>(a) Where an employee is directed to work at a place other than their usual place of employment, all time occupied by them on any day in travelling which is in excess of the time normally occupied in travelling when working at their usual place of employment is deemed to be working time.</li> <li>(b) Where the excess travelling time is in excess of one hour each way, the employer has the option, subject to mutual agreement between the employer and employee concerned, of providing reasonable living away from home expenses for any period in excess of four weeks.</li> </ul> <p><b>18.6 Living away from home allowance</b></p> <p>An employee required by their employer to work temporarily away from their usual place of employment and, as a result, is required to sleep away from their usual place of residence, is entitled to the following:</p> <ul style="list-style-type: none"> <li>(a) fares to and from the place at which their employer requires the employee to work;</li> <li>(b) all reasonable expenses including board and lodging; and</li> <li>(c) payment at ordinary rates of pay for all time spent in travelling between the employee's usual place of employment and the temporary location, such paid time not to exceed 7.6 hours in 24 hours.</li> </ul> |

| <p><b>16.6 Vehicle allowance</b></p> <p>In cases where it is mutually agreed that an employee will be required to use their private vehicle during the course of employer’s business, an employee must be paid reasonable compensation, but in no case will they receive payment at a rate less than the equivalent of \$0.78 per kilometre so travelled.</p>  | <p><b>18.7 Vehicle allowance</b></p> <p>In cases where it is mutually agreed that an employee will be required to use their private vehicle during the course of employer’s business, an employee must be paid reasonable compensation, but in no case will they receive payment at a rate less than the equivalent of <b>\$0.78</b> per kilometre so travelled.</p>   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
|--|--|--|----------------|------------------------------------|-------------------|----------------------------|--|-----------|--|----------------|------------------------------------|-------------------|----------------------------|
| <p><b>16.7 Adjustment of expense related allowances</b></p> <p>(a) At the time of any adjustment to the standard rate, each expense related allowance will be increased 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.</p> <p>(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:</p> <table border="1" data-bbox="280 810 974 1013"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> <tr> <td>Vehicle allowance</td> <td>Private motoring sub-group</td> </tr> </tbody> </table> | Allowance  | Applicable Consumer Price Index figure | Meal allowance | Take away and fast foods sub-group | Vehicle allowance | Private motoring sub-group | <p><b>C.2.1 Adjustment of expense related allowances</b></p> <p>(a) At the time of any adjustment to the standard rate, each expense related allowance will be increased 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.</p> <p>(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:</p> <table border="1" data-bbox="1299 783 2089 994"> <thead> <tr> <th>Allowance</th> <th>Applicable Consumer Price Index figure</th> </tr> </thead> <tbody> <tr> <td>Meal allowance</td> <td>Take away and fast foods sub-group</td> </tr> <tr> <td>Vehicle allowance</td> <td>Private motoring sub-group</td> </tr> </tbody> </table> | Allowance | Applicable Consumer Price Index figure | Meal allowance | Take away and fast foods sub-group | Vehicle allowance | Private motoring sub-group |
| Allowance  | Applicable Consumer Price Index figure   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| Meal allowance   | Take away and fast foods sub-group   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| Vehicle allowance  | Private motoring sub-group   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| Allowance  | Applicable Consumer Price Index figure   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| Meal allowance   | Take away and fast foods sub-group   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| Vehicle allowance  | Private motoring sub-group   |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| <p><b>17. District allowances</b></p>  | <p><i>Clause removed – obsolete</i></p>  |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |
| <p><b>18. Payment of wages</b></p> <p><b>18.1</b> Wages will be paid weekly or fortnightly at the discretion of the employer or monthly by mutual agreement between the employee and the employer.</p> <p><b>18.2</b> Wages will be paid by mutual agreement between the employee and the employer either in cash, by cheque or by electronic funds transfer into an account nominated by the employee.</p> <p><b>18.3</b> Payment of wages either by cash or by cheque must be made during working hours.</p>   | <p><b>17.6 Payment of wages</b></p> <p>(a) Wages will be paid weekly or fortnightly at the discretion of the employer or monthly by mutual agreement between the employee and the employer.</p> <p>(b) Wages will be paid by mutual agreement between the employee and the employer either in cash, by cheque or by electronic funds transfer into an account nominated by the employee.</p> <p>(c) Payment of wages either by cash or by cheque must be made during</p> |  |                |                                    |                   |                            |  |           |  |                |                                    |                   |                            |

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| <p><b>18.4</b> Where it is known that the employee will be absent from their normal workplace on pay day, the employer must make arrangements for the payment of wages no later than the normal pay day.</p> <p><b>18.5</b> Where an employee is required to work at a location other than their normal place of employment for an extended period, the employer must make prior arrangement for the payment of wages to such employee no later than the normal pay day.</p>   | <p>working hours.</p> <p>(d) Where it is known that the employee will be absent from their normal workplace on pay day, the employer must make arrangements for the payment of wages no later than the normal pay day.</p> <p>(e) Where an employee is required to work at a location other than their normal place of employment for an extended period, the employer must make prior arrangement for the payment of wages to the employee no later than the normal pay day.</p> <p>NOTE: Regulations 3.33(3) and 3.46(1)(g) of <i>Fair Work Regulations 2009</i> set out the requirements for pay records and the content of payslips including the requirement to separately identify any allowance paid.</p> |
| <p><b>19. Accident pay</b></p>   | <p><i>Clause removed – obsolete</i></p>  |
| <p><b>20. Superannuation</b></p> <p><i>Provision not reproduced - no change</i></p>  | <p><b>19. Superannuation</b></p> <p><i>Provision not reproduced - no change</i></p>  |
| <p><b>Part 5—Hours of Work and Related Matters</b></p> <p><b>21. Ordinary hours of work and rostering</b></p> <p><b>21.1 Ordinary hours of work</b></p> <p>(a) The ordinary hours of work must not exceed an average of 38 per week and must be worked between 6.00 am and 6.00 pm Monday to Friday inclusive, provided that the actual hours within the spread of hours may be altered by mutual agreement between the employer and the majority of employees concerned in the establishment or section or sections concerned.</p> <p>(b) During periods when daylight saving is in operation the spread of hours may be 5.00 am to 5.00 pm where there is agreement between the employer and the majority of employees affected.</p> | <p><b>Part 3—Hours of Work</b></p> <p><b>14. Ordinary hours of work</b></p> <p><b>14.1</b> The ordinary hours of work must not exceed an average of 38 per week and must be worked between 6.00 am and 6.00 pm Monday to Friday inclusive.</p> <p><b>14.2</b> The actual hours within the spread of hours may be altered by mutual agreement between the employer and the majority of employees concerned in the establishment or section or sections concerned.</p> <p><b>14.3</b> During periods when daylight saving is in operation the spread of hours may be 5.00 am to 5.00 pm where there is agreement between the employer and the majority of employees affected.</p>                                  |

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| <p><b>21.2 Rostered day off</b></p> <p>The employer and the majority of the employees concerned in the establishment or section or sections concerned may agree that the ordinary working hours be worked to enable a weekday off to be taken off on a basis to be mutually agreed.</p> <p><b>21.3 Notice of rostered days off</b></p> <p>(a) The employer must advise the employee at least four weeks in advance of the weekday to be taken off.</p> <p>(b) Such days off will be subject to the operational needs of the establishment and having regard to urgent and unforeseen circumstances in which case a substitute day must be arranged by mutual agreement.</p>   | <p><b>15. Rostering arrangements—full-time and part-time employees</b></p> <p><b>15.1 Rostered day off</b></p> <p>The employer and the majority of the employees concerned in the establishment or section or sections concerned may agree that the ordinary working hours be worked to enable a weekday to be taken off on a basis to be mutually agreed.</p> <p><b>15.2 Notice of rostered days off</b></p> <p>(a) The employer must advise the employee at least four weeks in advance of the weekday to be taken off.</p> <p>(b) Rostered days off will be subject to the operational needs of the establishment and having regard to urgent and unforeseen circumstances in which case a substitute day must be arranged by mutual agreement.</p>   |
| <p><b>21.4 Accumulation of days off</b></p> <p>Where agreed with the employer, an employee may accumulate up to five days' leave to be taken when mutually convenient.</p> <p><b>21.5 Rostered days off—building and construction industry</b></p> <p>Where employees subject to this award perform survey work on a recognised building and construction industry site, those employees may work on a prescribed rostered day off which is applicable to that particular site under the following circumstances:</p> <p>(a) where that is required by the employer and such work is necessary to allow other employees to be employed productively;</p> <p>(b) to carry out out-of-hours maintenance;</p> <p>(c) because of unforeseen delays to a particular project or a section of it; or</p> <p>(d) for other reasons arising from unforeseen or emergency circumstances on a project.</p> | <p><b>15.3 Accumulation of days off</b></p> <p>Where agreed with the employer, an employee may accumulate up to five days' leave to be taken when mutually convenient.</p> <p><b>15.4 Rostered days off—building and construction industry</b></p> <p>Where employees subject to this award perform survey work on a recognised building and construction industry site, those employees may work on a prescribed rostered day off which is applicable to that particular site under the following circumstances:</p> <p>(a) where that is required by the employer and the work is necessary to allow other employees to be employed productively;</p> <p>(b) to carry out out-of-hours maintenance;</p> <p>(c) because of unforeseen delays to a particular project or a section of it; or</p> <p>(d) for other reasons arising from unforeseen or emergency circumstances on a project.</p> |

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| <p><b>22. Breaks</b></p> <p><b>22.1 Meal break</b></p> <p>(a) Not less than 30 minutes or more than one hour will be allowed for a meal break each day, as mutually agreed.</p> <p>(b) An employee must not be required to work for more than five hours without a break for a meal.</p> <p><b>22.2 Morning and afternoon tea break</b></p> <p>(a) Employees are allowed a rest period of 10 minutes without deduction of pay in the morning at a time fixed by the employer.</p> <p>(b) Employees are permitted, without ceasing work, to take an afternoon tea break.</p> | <p><b>16. Breaks</b></p> <p><b>16.1 Meal break</b></p> <p>(a) An employee will be allowed an unpaid meal break of between 30 minutes and one hour each day, as mutually agreed.</p> <p>(b) An employee must not be required to work for more than five hours without a break for a meal.</p> <p><b>16.2 Morning and afternoon tea break</b></p> <p>(a) An employee is allowed a rest period of 10 minutes without deduction of pay in the morning at a time fixed by the employer.</p> <p>(b) An employee is permitted, without ceasing work, to take an afternoon tea break.</p>   |
| <p><b>23. Overtime and penalty rates</b></p> <p><b>23.1</b> An employer must compensate an employee for all authorised time worked in excess of normal hours of duty by:</p> <p>(a) payment for such excess hours at the rate of time and a half for the first three hours and double time thereafter;</p> <p>(b) provided that where the employer and employee agree, time off with pay may be taken instead of payment for overtime work or work on Sunday and holidays, on an hour for hour basis; or</p> <p>(c) such other arrangement as may be mutually agreed.</p>   | <p><b>Part 5—Overtime and Penalty Rates</b></p> <p><b>20. Overtime and penalty rates</b></p> <p><b>20.1</b> An employer must pay an employee for all authorised time worked in excess of normal hours of duty at the rate of <b>150%</b> of the minimum hourly rate for the first three hours and <b>200%</b> of the minimum hourly rate thereafter.</p> <p><b>20.2 Time off instead of payment for overtime</b></p> <p>Where the employer and employee agree:</p> <p>(a) time off with pay may be taken instead of payment for overtime or work on Sunday and public holidays, on an hour for hour basis; or</p> <p>(b) other arrangements the employer and employee may agree on.</p> |

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| <p><b>23.2</b> An employee must be paid at the rate of double time for work done on Sunday and such double time will continue until the employee is relieved from duty.</p> <p><b>23.3</b> An employee must be paid at the rate of double time and a half for work done on public holidays as defined in this award and such double time and a half must continue until the employee is relieved from duty.</p>   | <p><b>20.3 Sundays and public holidays</b></p> <p>(a) An employee must be paid the following rates for work done on Sundays and public holidays, until the employee is relieved from duty:</p> <p>(i) Sunday—<b>200%</b> of the minimum hourly rate;</p> <p>(ii) Public holidays (as defined in this award)—<b>250%</b> of the minimum hourly rate.</p>   |
| <p><b>23.4</b> An employee recalled to work overtime, after leaving their employer's premises or required to work overtime on a Saturday, Sunday or public holiday must be paid for a minimum of four hours' work at the appropriate overtime rate.</p>   | <p><b>20.4 Recall</b></p> <p>An employee recalled to work overtime, after leaving their employer's premises or required to work overtime on a Saturday, Sunday or public holiday must be paid for a minimum of four hours' work at the appropriate overtime rate.</p>   |
| <p><b>23.5</b> An employee working overtime must be allowed a rest break of 20 minutes without deduction of pay after each four hours of overtime worked if the employee continues to work after such rest break.</p>   | <p><b>20.5 Overtime—rest break</b></p> <p>An employee working overtime must be allowed a rest break of 20 minutes (paid for at overtime rates) after each four hours of overtime worked if the employee continues to work after the rest break.</p>   |
| <p><b>23.6</b> Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours must be allowed a meal break of 20 minutes which must be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work at hand provided that the employer will not be required to make any payment in respect of any time allowed in excess of 20 minutes.</p> <p><b>23.7</b> An employee required to work beyond two hours after the usual finishing time of work must be paid a meal allowance of \$11.73 for the meal and for each subsequent meal, or be provided with an adequate meal.</p> | <p><b>20.6 Overtime—meal break</b></p> <p>(a) An employee required to work at least one and a half hours of overtime after working ordinary hours must be allowed a meal break of 20 minutes before starting overtime (paid for at ordinary rates). An employer and employee may agree to any variation of this provision to meet the circumstances of the work at hand provided that the employer will not be required to make any payment in respect of any time allowed in excess of 20 minutes.</p> <p>(b) An employee required to work beyond two hours after the usual finishing time of work must be provided with an adequate meal or paid a meal allowance as set out in clause 18.2(a).</p> |

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| <p><b>23.9</b> When an employee working overtime or working on a Sunday or public holiday finishes work at a time when normal means of transport is not available, the employer must provide the employee with a conveyance to their home.</p>  | <p>Now clause 20.3(c)</p> <p><b>(c)</b> When an employee working overtime or working on a Sunday or public holiday finishes work at a time when normal means of transport is not available, the employer must provide the employee with a conveyance to their home.</p>  |
| <p><b>23.8</b> An employee required to work on a Sunday or public holiday for more than four hours must either be supplied with a meal by the employer or paid \$11.73 for the meal taken during the first and/or subsequent rest break.</p> <p><b>23.10</b> An employee working on a Sunday or public holiday must be allowed a rest break of 20 minutes without deduction of pay after such four hours of work, if the employee continues work after such rest break.</p> | <p><b>(b)</b> An employee required to work on a Sunday or public holiday for more than four hours:</p> <p><b>(i)</b> must be allowed a rest break of 20 minutes without deduction of pay after four hours of work, if the employee continues work after the rest break; and</p> <p><b>(ii)</b> must either be supplied with a meal by the employer or paid the meal allowance as set out in clause 18.2(b).</p>                  |
| <p><b>Part 6—Leave and Public Holidays</b></p> <p><b>24. Annual leave</b></p> <p><b>24.1</b> Annual leave is provided for in the NES.</p>   | <p><b>Part 6—Leave and Public Holidays</b></p> <p><b>21. Annual leave</b></p> <p><b>21.1</b> Annual leave is provided for in the NES.</p> <p>NOTE: Where an employee is receiving overaward payments such that the employee's base rate of pay is higher than the rate specified under this award, the employee is entitled to receive the higher rate while on a period of paid annual leave (see ss.16 and 90 of the Act).</p> |
| <p><b>24.2 Annual leave loading</b></p> <p>During a period of annual leave an employee must receive a loading of 17.5% on the rate of pay they would have been entitled to receive for their ordinary hours had they not been on such leave.</p>  | <p><b>21.2 Annual leave loading</b></p> <p>During a period of annual leave an employee must receive a loading of <b>17.5%</b> on the rate of pay they would have been entitled to receive for their ordinary hours had they not been on such leave.</p>  |
| <p><b>24.3 Annual leave close-down</b></p> <p><b>(a)</b> Where an employer intends temporarily to close (or reduce to nucleus) their establishment or a section of it for the purposes, among other things, of allowing annual leave to the employees concerned or a majority of them, they may give in writing to such employees one month's notice (or, in the case of any employee</p>   | <p><b>21.3 Annual leave close-down</b></p> <p><b>(a)</b> Where an employer intends temporarily to close (or reduce to nucleus) their establishment or a section of it for the purposes, among other things, of allowing annual leave to the employees concerned or a majority of them, they may give in writing to such employees one month's notice (or, in the case of any employee</p>  |



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| <p>engaged after giving of such notice, notice on the date of the employee's engagement) that the employer elects to apply the provisions of this clause.</p> <p>(b) Where an employee has been given notice pursuant to clause 24.3(a) and the employee has:</p> <p>(i) accrued sufficient annual leave to cover the full period of closing, the employee must take paid annual leave for the full period of closing;</p> <p>(ii) insufficient accrued annual leave to cover the full period of closing, the employee must take paid annual leave to the full amount accrued and leave without pay for the remaining period of the closing; or</p> <p>(iii) no accrued annual leave, the employee must take leave without pay for the full period of closing.</p> <p>(c) Public holidays that fall within the period of close down will be paid as provided for in this award and will not count as a day of annual leave or leave without pay.</p> | <p>engaged after giving of such notice, notice on the date of the employee's engagement) that the employer elects to apply the provisions of this clause.</p> <p>(b) Where an employee has been given notice in accordance with clause 21.3(a) and the employee has:</p> <p>(i) accrued sufficient annual leave to cover the full period of closing, the employee must take paid annual leave for the full period of closing;</p> <p>(ii) insufficient accrued annual leave to cover the full period of closing, the employee must take paid annual leave to the full amount accrued and leave without pay for the remaining period of the closing; or</p> <p>(iii) no accrued annual leave, the employee must take leave without pay for the full period of closing.</p> <p>(c) Public holidays that fall within the period of close down will be paid as provided for in this award and will not count as a day of annual leave or leave without pay.</p> |
| <p><b>25. Personal/carer's leave and compassionate leave</b><br/>Personal/carer's leave and compassionate leave are provided for in the NES.</p>   | <p><b>22. Personal/carer's leave and compassionate leave</b><br/>Personal/carer's leave and compassionate leave are provided for in the NES.</p>  |
| <p><b>26. Community service leave</b><br/>Community service leave is provided for in the NES.</p>  | <p><b>23. Parental leave and related entitlements</b><br/>Parental leave and related entitlements are provided for in the NES.</p>  |
| <p><i>Proposed new clause</i></p>  | <p><b>25. Community service leave</b><br/>Community service leave is provided for in the NES.</p>   |
| <p><b>27. Public holidays</b></p> <p><b>27.1</b> Public holidays are provided for in the NES.</p> <p><b>27.2</b> All work performed on a public holiday is deemed to be to be work in excess or outside of ordinary hours of duty and will be paid or compensated for in accordance with clause 23—Overtime and penalty rates.</p> <p><b>27.3 Public holidays—process for substitution</b></p>   | <p><b>24. Public holidays</b></p> <p><b>24.1</b> Public holidays are provided for in the NES.</p> <p><b>24.2</b> All work performed on a public holiday is deemed to be work in excess or outside of ordinary hours of duty and will be paid or compensated for in accordance with clause 20—Overtime and penalty rates.</p> <p><b>24.3 Public holidays—process for substitution</b></p>  |

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| <p>(a) An employer and their employees may agree to substitute another day for any public holidays prescribed in this clause. For this purpose, the consent of the majority of affected employees constitutes agreement.</p> <p>(b) An agreement pursuant to clause 27.3(a) must be recorded in writing and be available to every affected employee.</p> | <p>(a) An employer and their employees may agree to substitute another day for any public holidays prescribed in this clause. For this purpose, the consent of the majority of affected employees constitutes agreement.</p> <p>(b) An agreement pursuant to clause 24.3(a) must be recorded in writing and be available to every affected employee.</p> |
| <p><i>New subclause inserted for the purposes of cross-referencing the schedule.</i></p>   | <p><b>24.4 Part-day public holidays</b></p> <p>For provisions in relation to part-day public holidays see Schedule F—2015 Part-day Public Holidays.</p>  |
| <p><b>Schedule A —Transitional Provisions</b></p> <p><i>Transitional provision - clause removed - obsolete</i></p>   | <p><i>Transitional provision - clause removed - obsolete</i></p>   |
| <p><b>Schedule B —Classification Structure and Definitions</b></p> <p><i>Provision not reproduced - no change</i></p>  | <p><b>Schedule A—Classification Structure and Definitions</b></p> <p><i>Provision not reproduced - no change</i></p>   |
| <p><i>Clause inserted - proposed new provision</i></p>   | <p><b>Schedule B—Summary of Hourly Rates of Pay</b></p> <p><i>Clause inserted - proposed new provision</i></p>   |
| <p><i>Clause inserted - proposed new provision</i></p>   | <p><b>Schedule C—Summary of Monetary Allowances</b></p> <p><i>Clause inserted - proposed new provision</i></p>   |
| <p><b>Schedule C —Supported Wage System</b></p> <p><i>Provision not reproduced - no change</i></p>   | <p><b>Schedule D—Supported Wage System</b></p> <p><i>Provision not reproduced - no change</i></p>  |
| <p><b>Schedule D —School-based Apprentices</b></p> <p><i>Provision not reproduced - no change</i></p>  | <p><b>Schedule E—School-based Apprentices</b></p> <p><i>Provision not reproduced - no change</i></p>   |
| <p><b>Schedule E —2015 Part-day Public Holidays</b></p> <p><i>Provision not reproduced - no change</i></p>   | <p><b>Schedule F—2015 Part-day Public Holidays</b></p> <p><i>Provision not reproduced - no change</i></p>  |