APPLICATION TO VARY AN AWARD

IN the matter of:

Building Services (Victoria) Award 1994

Application is made by Tim Ferrari, Assistant National Secretary, Australian Liquor, Hospitality and Miscellaneous Workers Union for variation of the abovementioned award in the following terms as specified in Schedule A.

1 Increasing minimum wages and work related allowances

The grounds on which this application is made are set out in Schedule B.


Tim Ferrari
Assistant National Secretary
Australian Liquor, Hospitality and Miscellaneous Workers Union
Level 9, 187 Thomas Street
HAYMARKET NSW 2000
Telephone: (02) 8204 7200
Facsimile: (02) 9281 4480

To the persons and organisations bound by the abovementioned award.

You are hereby notified that the abovementioned application will be heard by
at  on  at  and that you may appear and be heard at
the time and place so fixed.


[Signature]
Member of Commission
[or Registrar]
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Workplace Relations Act 1996
s.113 application for variation

Australian Liquor, Hospitality and Miscellaneous Workers Union
(C2001/ )

BUILDING SERVICES (VICTORIA) AWARD 1994
(ODN C No. 21726 of 1992)

Various Employees

COMMISSION MEMBER

Safety Net Review - wages and allowances

DRAFT ORDER

A The above award is varied as follows:

1 By deleting paragraph 8(B)(i) and inserting the following:

8(B) Wages rates - full time employees

(B) (i) Adult employees

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total wage per week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Attendant Grade 1 (Cleaner)</td>
<td>$477.40</td>
</tr>
<tr>
<td>Building Attendant Grade 2</td>
<td>$498.50</td>
</tr>
<tr>
<td>Building Attendant Grade 3</td>
<td>$531.80</td>
</tr>
</tbody>
</table>

2 By deleting paragraph 8(C) and inserting the following:

8(C) All employees shall be paid as outlined below:

(i) Working in periods of 7.6 hours or less between midnight Sunday and midnight Friday

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total wage per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building attendant grade 1 (cleaner)</td>
<td>14.45</td>
</tr>
<tr>
<td>Building attendant grade 2</td>
<td>15.09</td>
</tr>
<tr>
<td>Building attendant grade 3</td>
<td>16.09</td>
</tr>
</tbody>
</table>
NOTE:

The hourly rates above apply to adult employees. The hourly rates are calculated by dividing the appropriate weekly rates for a full-time adult or full-time junior employee by 38 and adding 15 per cent.

(ii) Working between midnight Friday and midnight Saturday.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total wage per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building attendant grade 1 (cleaner)</td>
<td>$20.73</td>
</tr>
<tr>
<td>Building attendant grade 2</td>
<td>$21.65</td>
</tr>
<tr>
<td>Building attendant grade 3</td>
<td>$23.09</td>
</tr>
</tbody>
</table>

NOTE:

The hourly rates above apply to adult employees. The hourly rates are calculated by dividing the appropriate weekly rates for a full-time adult or full-time junior employee by 38 and adding 15 per cent, and adding further one half of the appropriate ordinary hourly rates for a full-time adult or full-time junior employee.

Provided that a part-time employee employed pursuant to this award as at 7 June 1990, and is either continuously employed by the same employer or whose employment is transferred to a new contractor since that date was at that time in receipt of a rate of pay per hour for work performed on a Saturday in excess of that prescribed in this award, such employee shall continue to be entitled to that superior rate of pay for all hours worked on a Saturday.

(iii) Working between midnight Saturday and midnight Sunday

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total wage per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building attendant grade 1 (cleaner)</td>
<td>$27.01</td>
</tr>
<tr>
<td>Building attendant grade 2</td>
<td>$28.21</td>
</tr>
<tr>
<td>Building attendant grade 3</td>
<td>$30.08</td>
</tr>
</tbody>
</table>

NOTE:

The hourly rates above apply to adult employees. The hourly rates are calculated by dividing the appropriate weekly rates for a full-time adult or part-time junior employee by 38 and adding 15 per cent, and adding further the appropriate ordinary hourly rates for a full-time adult or full-time junior employee.

(iv) Public holiday work

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total wage per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building attendant grade 1 (cleaner)</td>
<td>$33.29</td>
</tr>
<tr>
<td>Building attendant grade 2</td>
<td>$34.77</td>
</tr>
<tr>
<td>Building attendant grade 3</td>
<td>$37.08</td>
</tr>
</tbody>
</table>
NOTE:

The hourly rates above apply to adult employees. The hourly rates are calculated by dividing the appropriate weekly rates for a full-time adult or full-time junior employee by 38 and adding 15 per cent, and adding further one and a half times the appropriate ordinary hourly rates for a full-time adult or full-time junior employee.

Provided that the minimum rates adjustments may be absorbed into any overaward payments effectively converting that portion of any overaward payment equal to the supplementary payment into an award payment and diminishing the level of any overaward payment.

3 By increasing work related allowances by an amount proportionate to the wage increase, in accordance with the method contained in the *Furnishing and Glass Allowances decision* [Print M9675].

B. This order shall come into force from the beginning of the first pay period to commence on or after 1 May 2002 and shall continue in force for six months.

BY THE COMMISSION

COMMISSION MEMBER
Building Services (Victoria) Award 1994

THE GROUNDS upon which the application is made are as follows:

1. To give effect to the objects of the *Workplace Relations Act 1996* ["The Act"], Part I, Section 3(a) and 3(d)(ii), by:

   - Encouraging the pursuit of high employment, improved living standards, low inflation and international competitiveness through higher productivity and a flexible and fair labour market [s3(a)]; and
   - Ensuring the maintenance of an effective award safety net of fair and enforceable minimum wages and conditions of employment [3(d)(ii)].

2. To give effect to the Objects of Part VI, *Workplace Relations Act 1996*, provided for in Section 88A, by ensuring that:

   - Wages and conditions of employment are protected by a system of enforceable awards established and maintained by the Commission [s88A(a)]; and
   - Awards act as a safety net of minimum wages and conditions of employment [s88A(b)]; and
   - The Commission’s functions and powers in relation to making and varying awards are performed and exercised in a way that encourages the making of agreements between employers at the workplace or enterprise level [s88A(d)].

3. To give effect to Section 88B(2), *Workplace Relations Act 1996*, by ensuring that a safety net of fair minimum wages and conditions of employment is established and maintained, having regard to:

   - The need to provide fair minimum standards for employees in the context of living standards generally prevailing in the Australian community; and
   - Economic factors, including levels of productivity and inflation, and the desirability of attaining a high level of employment, and
   - When adjusting the safety net, the needs of the low paid.

4. To give effect to Section 90, *Workplace Relations Act 1996*, that:
   "In the performance of its functions, the Commission shall take into account the public interest, and for that purpose shall have regard to:
   (a) the objects of this Act, and, in particular, the objects of this Part; and
   (b) the state of the national economy and the likely effects on the national economy of any award or order that the Commission is considering, or is proposing to make, with special reference to the likely effects on the level of employment and on inflation."

5. To provide protection against inflation for low paid workers and to ensure low paid workers share in growth of national prosperity, by raising minimum rates of pay.
6. To provide protection for low paid workers whose living standards have fallen relative to those of other groups in the Australian community since introduction from July 2000 of the goods and services tax package, by raising minimum rates of pay.

7. To maintain skill-based career paths in awards as determined by the Industrial Relations Commission (Workplace Relations Act 1996 Section 89A(2)(a)).

8. To provide simple, equitable and enforceable minimum rates of pay.

9. To facilitate equal remuneration for work of equal value and viable flexible work arrangements.