FORM R6

Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

APPLICATION TO SET ASIDE OR VARY AN AWARD

C No of 2001

IN the matter of Rubber Plastic and Cable Making Industry – General – Award 1998

Application is made by the National Union of Workers for the variation of the abovementioned Award as set out in the attached Schedule ‘A’.

Re: Increasing minimum wages and work related allowances.

The grounds upon which this application is made are set out in Schedule ‘A’.

DATED 20 November 2001

For and on behalf of the National Union of Workers

Greg Sword
General Secretary

TO THE PERSONS & ORGANISATIONS BOUND BY THE ABOVEMENTIONED AWARD

You are hereby notified that the abovementioned application will be heard by

[ ] [a.m./p.m.] on the day of

2001

at

and that you may appear and be heard at the time and place so fixed.

DATED 2001

MEMBER OF COMMISSION
OR REGISTRAR
SCHEDULE ‘A’

RUBBER, PLASTIC AND CABLE MAKING INDUSTRY – GENERAL – AWARD 1998

A. That the above Award be varied in the following respects:

Wage Rates

1. To provide for a $25.00 per week wage increase by deleting the table of wage rates appearing in clause 21.3.2 and inserting the following:

Wage rates for Manufacturing/Production Employees

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total minimum rate per week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing Production Employee Level 1</td>
<td>$438.40</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 2</td>
<td>$455.00</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 3</td>
<td>$477.60</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 4</td>
<td>$498.50</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 5</td>
<td>$517.70</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 6</td>
<td>$532.20</td>
</tr>
</tbody>
</table>

2. To provide for a $25.00 per week wage increase by deleting the table of wage rates appearing in clause 21.3.3 and inserting the following:

Wage rates for warehouse employees

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total minimum rate per week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse Worker Level 1</td>
<td>$477.60</td>
</tr>
<tr>
<td>Warehouse Worker Level 2</td>
<td>$498.50</td>
</tr>
<tr>
<td>Warehouse Worker Level 3</td>
<td>$517.70</td>
</tr>
<tr>
<td>Warehouse Administration Officer</td>
<td>$532.20</td>
</tr>
</tbody>
</table>

Allowances

3. By increasing allowances which relate to work or conditions by an amount proportionate to the wage increase, in accordance with the method contained in the Furnishing and Glass Allowances decision [Print M9675].
4. By increasing allowances which constitute a reimbursement of expenses incurred to reflect relevant changes in the level of such expenses.

B. Items 1 - 4 to have effect from 1 May 2002
SCHEDULE ‘B’

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.
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Workplace Relations Act 1996
s.113 application for variation

National Union of Workers
(C No. 39198 of 2000)

RUBBER, PLASTIC AND CABLE MAKING INDUSTRY - GENERAL - AWARD 1998
(ODN C No. 01800 of 1982)
[Print R4420 [R0007]]

Various employees

COMMISSIONER LEWIN


ORDER

A. Further to the decision of the Full Bench of the Commission on 2 May 2001 [PR002001], the above award is varied as follows:

1. By deleting the first table of wage rates appearing in 21.3.2 and inserting the following:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total minimum rate per week $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing Production Employee Level 1</td>
<td>$413.40</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 2</td>
<td>$430.00</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 3</td>
<td>$452.60</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 4</td>
<td>$473.50</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 5</td>
<td>$492.70</td>
</tr>
<tr>
<td>Manufacturing Production Employee Level 6</td>
<td>$507.20</td>
</tr>
</tbody>
</table>

2. By deleting the second table of wage rates appearing in 21.3.3 and inserting the following:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total minimum rate per week $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse Worker Level 1</td>
<td>$452.60</td>
</tr>
<tr>
<td>Warehouse Worker Level 2</td>
<td>$473.50</td>
</tr>
<tr>
<td>Warehouse Worker Level 3</td>
<td>$492.70</td>
</tr>
<tr>
<td>Warehouse Administration Officer</td>
<td>$507.20</td>
</tr>
</tbody>
</table>
3. By deleting clause 21.3.4 and inserting the following:

21.3.4 Arbitrated safety net adjustment

The rates of pay in this award include the arbitrated safety net adjustment payable under the Safety Net Review - Wages May 2001 decision [PR002001]. This arbitrated safety net adjustment may be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, Australian workplace agreements, award variations to give effect to enterprise agreements and overaward arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases made under previous National Wage Case principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

4. By deleting the amounts "$18.22", "$27.02" and "$35.51" appearing in 26.1.1 and inserting in lieu thereof the amounts "$18.75", "$27.80" and "$36.55" respectively.

5. By deleting the amount "$7.14" appearing in 26.2.1 and inserting the amount "$7.35".

6. By deleting the amount "$7.30" appearing in 26.3.1 and inserting the amount "$8.15".

7. By deleting the amounts "63 cents" appearing in 26.5.1(a) and inserting the amount "65 cents".

8. By deleting the amounts "19 cents" appearing in 26.5.2 and inserting the amount "20 cents".

9. By deleting the amounts "41 cents" appearing in 26.5.3 and inserting the amount "42 cents".

10. By deleting the amounts "34 cents" and "40 cents" appearing in 26.5.4 and inserting the amounts "35 cents" and "41 cents" respectively.

11. By deleting the amounts "28 cents" appearing in 26.5.5 and inserting the amount "29 cents".

12. By deleting the amounts "28 cents" appearing in 26.7.2 and inserting the amount "29 cents".
B. This order shall come into force from the first full pay period to commence on or after 3 June 2001 and shall remain in force for a period of six months.