

OPERATIONAL INSTRUCTION

Enquiries to: Anne Riordan
(09) 222 2125

Number: OP 0826/96
Date: 26 November 1996
File No: 96-02705

Supersedes:

Subject: **BUILDING TRADES (GOVERNMENT) AWARD - 3rd \$8.00 INCREASE (ARBITRATED SAFETY NET ADJUSTMENT), AND ALLOWANCES ADJUSTMENT. COST VARIATION No. 51-967**

Please find a copy of the order from the Western Australian Industrial Relations Commission to vary Appendix D of the above award to include the third \$8.00 arbitrated safety net adjustment and adjust various work or condition related allowances for the first, second and third \$8.00 increases.

As part of the third \$8.00, the parties have agreed to review the award within 6 months of the operative date.

The increase in rates only applies to those employees covered by Appendix D. Accordingly, the third \$8 does not apply to employees in agencies respondent to the award that have received a wage increase under an enterprise or workplace agreement.

The variation is effective from the beginning of the first pay period commencing on or after 23 August 1996.

The variation in rates is to be costed and advice forwarded to your Health Service* General Manager or Director on either Form D1 Monthly Summary of Salary and Wage Increase or a similar form, to accompany your management report for the month of November. If no costs are incurred as a result of the variation a "nil" return must be forwarded.

*Health Services include State-wide Health Services, Graylands etc.

If there are any queries on this matter, please contact the Industrial Relations Section on (09) 222 2125.

John Kirwan
GENERAL MANAGER
HEALTH WORKFORCE REFORM

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

INDUSTRIAL RELATIONS ACT, 1979

The Western Australian Builders'
Labourers, Painters and Plasterers Union
of Workers and Others

- and -

Hon. Minister for Works and Others

(No. 934 of 1996)

Building Trades (Government) Award 1968
(No. 31 A of 1996)

COMMISSIONER P.E. SCOTT

21 October 1996

ORDER

HAVING heard Ms J. Harrison on behalf of the Applicants and Mr B. Appleby on behalf of the Respondents, and by consent, the Commission, pursuant to the powers conferred on it under the Industrial Relations Act, 1979, hereby orders:

THAT the Building Trades (Government) Award 1968 be varied in accordance with the following Schedule and that such variation shall have effect from the beginning of the first pay period commencing on or after the 23rd day of August 1996.

(L.S.) (Sgd.) P.E. SCOTT

COMMISSIONER

SCHEDULE

I. Clause 9. - Wages:

A. Subclause (2): Delete paragraph (g) of this subclause and insert the following in lieu thereof:

(g) Stonemasons: The employer shall supply all necessary tools for the use of stonemasons, except when engaged on building construction, when the worker, if required to supply his/her own tools, shall receive a tool allowance at the rate of \$1.48 per week.

B. Subclause (3): Delete paragraphs (a), (b),(c) and (d) of this subclause and insert the following in lieu thereof:

(a)	Bricklayers, stoneworkers, carpenters, joiners, painters, glaziers, signwriters, plasterers, plumbers and stonemasons	\$ 37.87
(b)	Special Class Tradesperson (as defined)	39.77
(c)	Registered Plumbers	39.35
(d)	Builders Labourers	
(i)	Classifications (i) to (iii) inclusive	37.14
(ii)	Classifications (iv) to (ix)	34.92
(iii)	Classification (x)	33.76
(iv)	Classification (xi)	31.44

C. Subclause (4): Delete this subclause and insert the following in lieu thereof:

(4) Disabilities Allowance (Per Week): \$16.56

(a) Subject to the provisions of paragraph (b), of this subclause an allowance of \$16.56 shall be paid to all employees excepting employees who are employed for the major portion of any week in or about a permanent maintenance depot or who are usually employed in or about the employer's business when an employee coming within the exception is engaged on the erection or demolition of a building exceeding 250 square feet in floor area.

(b) Employees who are directed to work temporarily in or about a permanent maintenance depot and who immediately prior to being so directed were in receipt of the allowance for a period of not less than three months shall be paid two-thirds of the allowance prescribed herein.

D. Subclause (7): Delete the heading and preamble to this subclause and insert the following in lieu thereof:

(7) Plumbing Trade Allowance

Plumbers shall be paid an allowance at the rate of \$12.77 per week to compensate for the following classes of work and in lieu of the relevant amounts in Clause 13. - Special Rates and Provisions of this award whether or not such work is performed in any one week. When working outside the categories listed hereunder, a plumber shall receive the appropriate rates provided for in the said Clause 13. - Special Rates and Provisions.

2. Clause 11. - Leading Hands: Delete subclause (1) of this clause and insert the following in lieu thereof:

(1) Any employee referred to in Clause 9. - Wages of this award or a leading hand defined in paragraph (h) of subclause (3) of Clause 6. - Definitions of this award, who is placed in charge for not less than one day of -

- (a) not less than three and not more than ten other employees referred to in Clause 9. - Wages shall be paid at the rate of \$26.90 per week extra;
- (b) more than ten and not more than twenty other employees referred to in Clause 9. - Wages shall be paid at the rate of \$35.98 per week extra;
- (c) more than twenty other employees referred to in Clause 9. - Wages shall be paid at the rate of \$45.05 per week extra.

3. Clause 13. - Special Rates and Provisions:

A. Subclause (2): Delete this subclause and insert the following in lieu thereof:

(2) Swing Scaffold:

(a) An employee employed -

(i) on any type of swing scaffold or any scaffold suspended by rope or cable or bosun's chair or cantilever scaffold, or

(ii) on a suspended scaffold requiring the use of steel or iron hooks or angle irons at a height 6.1 metres or more above the nearest horizontal plane,

shall be paid \$2.63 for the first four hours or part thereof: and 53 cents for each hour thereafter on any day in addition to the rates otherwise prescribed.

(b) A solid plasterer when working on a swing scaffold shall be paid an additional 11 cents per hour.

(c) No apprentice with less than two years' experience shall use a swing scaffold or bosun's chair.

- (d) Provided that no allowance shall be payable for working on such scaffolds when used under bridges or jetties unless the height of the scaffold above the water exceeds 0.9 metres.

B. Subclause (3): Delete this subclause and insert the following in lieu thereof:

- (3) Insulation:

An employee handling charcoal, pumice, granulated cork, silicate of cotton, insulwool, slag wool or other recognised insulation material of a like nature or working in the immediate vicinity so as to be affected by the use thereof: shall be paid 44 cents per hour part thereof: in addition to the rates otherwise prescribed.

C. Subclause (4): Delete this subclause and insert the following in lieu thereof:

- (4) Working in a dust laden atmosphere in a joiner's shop where dust extractors are not provided in or such atmosphere caused by the use of materials for insulating, deafening or plugging work (as, for instance, pumice, charcoal, silicate of cotton, or any other substitute) or from earthworks, 44 cents per hour extra.

D. Subclause (5): Delete this subclause and insert the following in lieu thereof:

- (5) Confined Space:

An employee required to work in a confined space, being a place the dimension or nature of which necessitates working in a cramped position or without sufficient ventilation, shall be paid 44 cents per hour or part thereof: in addition to the rate otherwise prescribed.

E. Subclause (6): Delete this subclause and insert the following in lieu thereof:

- (6) Sewer Work:

An employee engaged in repairs to sewers shall be paid 34 cents per hour or part thereof: in addition to the rates otherwise prescribed.

F. Subclause (7): Delete this subclause and insert the following in lieu thereof:

- (7) Sanitary Plumbing Work:

A plumber doing sanitary plumbing work on repairs to sewer drainage or waste pipe services in any of the following places -

- (a) Infectious and contagious disease hospitals or any block or portion of a hospital used for the care or treatment of patients suffering from any infectious or contagious disease.

- (b) Morgues:

shall be paid 37 cents per hour or part thereof: in addition to the rates otherwise prescribed.

G. Subclause (8): Delete this subclause and insert the following in lieu thereof:

(8) Ship Plumbing:

A plumber doing work on a ship of any class -

- (a) Whilst under way; or
- (b) In a wet place being one in which the clothing of an employee necessarily becomes wet to an uncomfortable degree or one in which water accumulates underfoot; or
- (c) In a confined space; or
- (d) In a ship which has done one trip or more in a fume or dust laden atmosphere, in bilges, or when cleaning blockages in soil pipe or waste pipes or repairing brine pipes, shall be paid 52 cents per hour or part thereof: in addition to the rate otherwise prescribed.
- (e) A plumber carrying out pipe work in a ship of any class under the plates in the engine and boiler rooms and oil fuel tanks shall be paid \$1.07 per hour or part thereof: in addition to the rates otherwise prescribed.

H. Subclause (9): Delete this subclause and insert the following in lieu thereof:

(9) Well Work:

A plumber or labourer required to enter a well nine metres or more in depth for the purpose in the first place of examining the pump, pipe or any other work connected therewith, shall be paid \$1.87 for such examination and 68 cents per hour extra thereafter for fixing, renewing or repairing such work.

I. Subclause (10): Delete this subclause and insert the following in lieu thereof:

(10) Permit Work:

Any licensed plumber called upon by his/her employer to use the licence issued to him/her by the Metropolitan Water Supply, Sewerage and Drainage Board for a period in any one week shall be paid \$11.25 for that week in addition to the rates otherwise prescribed.

J. Subclause (11): Delete this subclause and insert the following in lieu thereof:

(11) Plumbers on Sewerage Work:

Plumbers or apprentices in their third, fourth or fifth year, on work involving the opening up of house drains or waste pipes for the purpose of clearing blockages or for any other purpose, or work involving the cleaning out of septic tanks or dry wells, shall be paid a minimum of \$1.86 per day or part thereof: in addition to the prescribed rate.

K. Subclause (12): Delete this subclause and insert the following in lieu thereof:

(12) Height Money:

An employee required to work on a chimney stack, spire, tower, air shaft, cooling tower, water tower exceeding fifteen metres in height shall be paid for all work above fifteen metres, 37 cents per hour thereof: with an additional 37 cents per hour or part thereof: for work above each further fifteen metres in addition to the rates otherwise prescribed.

L. Subclause (13): Delete this subclause and insert the following in lieu thereof:

(13) Furnace Work:

An employee engaged in the construction or alteration or repairs to boilers, flues, furnaces, retorts, kilns, ovens, ladles and similar refractory work or on underpinning shall be paid 95 cents per hour or part thereof: in addition to the rates otherwise prescribed.

M. Subclause (14): Delete this subclause and insert the following in lieu thereof:

(14) Hot Work:

(a) An employee required to work in a place where the temperature has been raised by artificial means to between 46° Celsius and 54° Celsius shall be paid 37 cents per hour or part thereof: in addition to the rates otherwise prescribed, or in excess of 54° Celsius shall be paid 44 cents per hour or part thereof: in addition to the said rates.

(b) Where such work continues for more than two hours the employee shall be entitled to a rest period of twenty minutes after every two hours' work without loss of pay, not including the special rate prescribed in paragraph (a) hereof.

N. Subclause (15): Delete this subclause and insert the following in lieu thereof:

(15) Cold Work:

(a) An employee required to work in a place where the temperature is lowered by artificial means to less than 0° Celsius shall be paid 37 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award.

(b) Where such work continues for more than two hours the employee shall be entitled to a rest period of twenty minutes after every two hours' work without loss of pay, not including the special rate prescribed in paragraph (a) hereof.

O. Subclause (16): Delete this subclause and insert the following in lieu thereof:

(16) Swanbourne and Graylands: Employees required to work at the Swanbourne and Graylands Hospitals controlled by the Mental Health Service shall be paid at the rate of 37 cents per hour in addition to the prescribed rate.

P. Subclause (17): Delete this subclause and insert the following in lieu thereof:

- (17) Flintcote: Plasterers using flintcote shall be paid 37 cents per hour or part thereof: except when flintcote is applied by hawk and trowel to walls and ceilings when the rate shall be 63 cents per hour extra in addition to the prescribed rate.

Q. Subclause (18): Delete this subclause and insert the following in lieu thereof:

- (18) Dirty Work:

- (a) An employee employed on excessively dirty work which is more likely to render the employee or his/her clothes dirtier than the normal run of work, shall be paid 37 cents per hour extra in addition to the prescribed rate (with a minimum payment of four hours when employed on such work).
- (b) This shall not apply to an employee in receipt of the allowance prescribed in subclause (4) of Clause 9. - Wages of this award nor to a worker in receipt of the allowance prescribed in subclause (27) hereof.

R. Subclause (19): Delete this subclause and insert the following in lieu thereof:

- (19) Stonemason on Wall:

A stonemason working on the wall (cottage work and foundation work in coastal stone excepted) shall be paid 37 cents per hour thereof: in addition to the rates otherwise prescribed.

S. Subclause (20): Delete this subclause and insert the following in lieu thereof:

- (20) Setter Out:

A setter out (other than a leading hand) in a joiner's shop shall be paid \$3.51 per day in addition to the rates otherwise prescribed.

T. Subclause (21): D Delete this subclause and insert the following in lieu thereof:

- (21) Detail Employee:

A detail employee (other than a leading hand) shall be paid \$3.51 in addition to the rates otherwise prescribed.

U. Subclause (22): Delete this subclause and insert the following in lieu thereof:

- (22) Spray Painting - Painter:

- (a) Lead paint shall not be applied by a spray to the interior of any building.
- (b) All employees (including apprentices) applying paint by spraying, shall be provided with full overalls and head covering and respirators by the employer.

- (c) Where from the nature of the paint or substance used in spraying, a respirator would be of little or no practical use in preventing the absorption of fumes or materials from substance used by an employee in spray painting, the employee shall be paid a special allowance of 95 cents per day.

V. Subclause (24): Delete this subclause and insert the following in lieu thereof:

- (24) Spray Application - Painters:

A painter engaged on all applications carried out in other than a properly constructed booth approved by the Department of Labour and Industry shall be paid 37 cents per hour or part thereof, in addition to the rates otherwise prescribed in this award.

W. Subclause (25): Delete this subclause and insert the following in lieu thereof:

- (25) An employee who is a qualified first aid person and is appointed by his/her employer to carry out first aid duties in addition to his/her usual duties shall be paid an additional rate of \$1.24 per day.

X. Subclause (26): Delete this subclause and insert the following in lieu thereof:

- (26) Toxic Substances:

- (a) An employee required to use toxic substances or materials of a like nature shall be informed by the employer of the health hazards involved and instructed in the correct and necessary safeguards which must be observed in the use of such materials.
- (b) An employee using such materials will be provided with and shall use all safeguards as are required by the appropriate Government Authority in the absence of such requirement such safeguards as are determined by a competent authority or person chosen by the union and the employer.
- (c) An employee using toxic substances or materials of a like nature shall be paid 44 cents per hour extra. Employees working in close proximity to employees so engaged shall be paid 34 cents per hour extra.
- (d) For the purposes of this subclause all materials which include or require the addition of a catalyst hardener and reactive additives or two pack catalyst system shall be deemed to be materials of a like nature.

Y. Subclause (29): Delete this subclause and insert the following in lieu thereof:

- (29) Asbestos:

Employees required to use materials containing asbestos or to work in close proximity to employees using such materials shall be provided with and shall use all necessary safeguards as required by the appropriate occupational health authority and where such safeguards include the mandatory wearing of protective equipment (ie. combination overalls and breathing equipment or similar apparatus) such employees shall be paid 44 cents per hour whilst so engaged.

Z. Subclause (30): Delete this subclause and insert the following in lieu thereof:

(30) Explosive Powered Tools:

An operator of explosive powered tools, being an employee qualified in accord with the laws and regulations of the State of Western Australia to operate explosive powered tools, who is required to use an explosive powered tool shall be paid 85 cents for each day on which he/she used a tool in addition to the rates otherwise prescribed.

AA. Subclause (31): Delete this subclause and insert the following in lieu thereof:

(31) Wet Work:

An employee required to work in a place where water is continually dripping on him/her so that his/her clothing and boots become wet or where there is water underfoot shall be paid 37 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award.

BB. Subclause (32): Delete this subclause and insert the following in lieu thereof:

(32) Cleaning Down Brickwork:

An employee required to clean down bricks using acids or other corrosive substances shall be supplied with gloves and be paid 34 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award.

CC. Subclause (33): Delete this subclause and insert the following in lieu thereof:

(33) Bagging:

An employee engaged upon bagging brick or concrete structures shall be paid 34 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award.

DD. Subclause (34): Delete this subclause and insert the following in lieu thereof:

(34) Bitumen Work:

An employee handling hot bitumen or asphalt or dripping materials in creosote shall be paid 44 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award.

EE. Subclause (35): Delete this subclause and insert the following in lieu thereof:

(35) Scaffolding Certificate Allowance:

A tradesperson who is the holder of a scaffolding certificate or rigging certificate issued by the Department of Labour and Industry and is required to act on that certificate whilst engaged on work requiring a certified person shall be paid 37 cents per hour or part thereof: in addition to the rates otherwise prescribed in this award but this allowance shall not be payable cumulative on the allowance for swing scaffolds.

FF. Subclause (36): Delete this subclause and insert the following in lieu thereof:

(36) Dry Polishing or Cutting of Tiles:

An employee required to dry polish tiles with a machine or to cut tiles with an electric saw shall be paid 44 cents per hour or part thereof in addition to the rates otherwise prescribed in this award.

GG. Subclause (37): Delete this subclause and insert the following in lieu thereof:

(37) Secondhand Timber:

Where, whilst working with second-hand timber, an employees tools are damaged by nails, dumps or other foreign matter on the timber, he/she shall be entitled to an allowance of \$1.24 per day on each day upon which his/her tools are so damaged, provided that no allowance shall be payable under this clause unless it is reported immediately to the employer's representative on the job in order that the claim may be proved.

HH. Subclause (38): Delete this subclause and insert the following in lieu thereof:

(38) Roof Repairs:

An employee engaged on repairs to roofs shall be paid 40 cents per hour or part thereof in addition to the rates otherwise provided in this award.

II. Subclause (39): Delete this subclause and insert the following in lieu thereof:

(39) Computing Quantities:

An employee, other than a leading hand, who is required to compute or estimate quantities of materials in respect of the work performed by others shall be paid \$2.63 per day or part thereof in addition to the rates otherwise prescribed in this award.

JJ. Subclause (52): Delete this subclause and insert the following in lieu thereof:

(52) An employee engaged on work at Fremantle Prison shall be paid 37 cents per hour extra.

4. Schedule C:

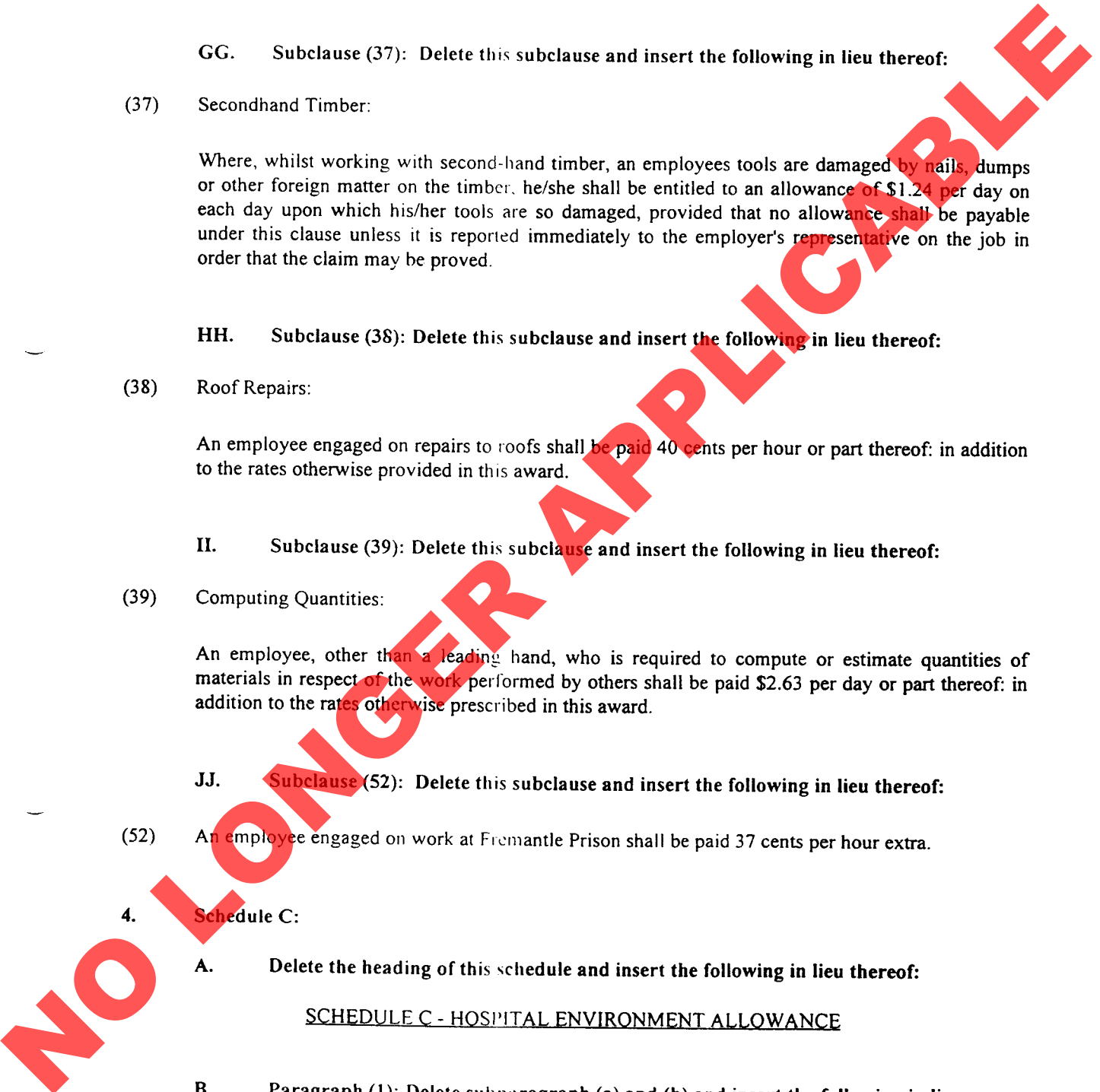
A. Delete the heading of this schedule and insert the following in lieu thereof:

SCHEDULE C - HOSPITAL ENVIRONMENT ALLOWANCE

B. Paragraph (1): Delete subparagraph (a) and (b) and insert the following in lieu thereof::

1. (a) For work performed in a hospital environment - \$9.71 per week.

(b) For disabilities associated with work performed in -



Difficult access areas;
 Tunnel complexes;
 Areas with great temperature variation: - \$3.38 per week.

Princess Margaret Hospital
 King Edward Memorial Hospital
 Sir Charles Gairdner Hospital
 Royal Perth Hospital
 Fremantle Hospital

C. Paragraph (2): Delete this subparagraph and insert the following in lieu thereof:

2. For work performed in a hospital environment - \$6.54 per week.

Kalgoorlie Hospital
 Osborne Park Hospital
 Albany Hospital
 Bunbury Hospital
 Geraldton Hospital
 Mt Henry Hospital
 Northam Hospital
 Swan Districts Hospital
 Perth Dental Hospital

D. Paragraph (3): Delete this subparagraph and insert the following in lieu thereof:

3. For work performed in a hospital environment - \$4.64 per week.

Bentley Hospital
 Derby Hospital
 Narrogin Hospital
 Port Hedland Hospital
 Rockingham Hospital
 Sunset Hospital
 Armadale Hospital
 Broome Hospital
 Busselton Hospital
 Carnarvon Hospital
 Collie Hospital
 Esperance Hospital
 Katanning Hospital
 Merredin Hospital
 Murray Hospital
 Warren Hospital
 Wyndham Hospital

5. **Appendix A - Asbestos Eradication: Delete paragraph (5) of this appendix and insert the following in lieu thereof:**

- (5) Rate of Pay

In addition to the rates prescribed in this Award, an employee engaged in asbestos eradication (as defined) shall receive \$1.16 per hour worked in lieu of Special Rates prescribed in Clause 13 with the exception of subclauses (2), (14), (15), (24) and (37) of Clause 13 of this award.

6. **Appendix D - Award Restructuring:**

- A. **Delete paragraph (a) of subclause (8) of this appendix and insert the following in lieu thereof:**

- (a) Wage Rates

Level	Percentage Relativity to Level 4	Rates \$	Safety Net Adjustment \$	Total Weekly Rate \$
New Entrant	78	335.10	24.00	359.10
1	82	352.30	24.00	376.30
2	87	375.50	24.00	399.50
3	92	397.00	24.00	421.00
4	100	429.60	24.00	453.60
5	105	451.10	24.00	475.10
6	110	472.60	24.00	496.60
7	115	494.00	24.00	518.00
8	120	515.50	24.00	539.50
9	125	537.00	24.00	561.00

- B. **Delete paragraph (c)(i) and (ii) of subclause (8) of this appendix and insert the following in lieu thereof:**

- (c) The rates of pay in this appendix include three arbitrated safety net adjustments totalling \$24.00 per week available under the Arbitrated Safety Net Adjustment Principle pursuant to either the December 1993 State Wage Decision, the December 1994 State Wage Decision and the March 1996 State Wage Decision. This first, second and third \$8.00 per week arbitrated safety net adjustments may be offset to the extent of any wage increase payable since 1 November, 1991 pursuant to enterprise agreements or consent awards or award variations to give effect to enterprise agreements insofar as that wage increase or part of it has not previously been used to offset an arbitrated safety net adjustment. Increases made under previous State 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.