

A457 A S Print H4331

IN THE AUSTRALIAN CONCILIATION AND ARBITRATION COMMISSION

Conciliation and Arbitration Act 1904

In the matter of a notification of an industrial dispute between

The Australian Workers' Union

and

Allen Bros Asphalt Limited and others

(C No. 3914 of 1986)

in relation to wages and working conditions in the asphalt and bitumen industry

MR COMMISSIONER BENNETT

SYDNEY, 21 OCTOBER 1988

AWARD

1 - TITLE

This Award shall be known as the Australian Workers' Union Asphalt and Bitumen Industry (WA) Award 1988

2 - ARRANGEMENT

This Award is arranged as follows:

Clause	Subject matter
14	Accident pay
24	Amenities
16	Annual leave
5	Area of operation
18	Bereavement leave
25	Clothing and spectacles
6	Contract of employment
31	Disputes settlement
21	Distant work
23	First aid facilities
2	Arrangement
19	Jury service
41	Leave reserved
37	Location allowance
13	Meal breaks, allowances and crib breaks
42	No extra claims
22	On-site accomodation
11	Overtime
7	Payment of wages
3	Period of operation
35	Posting of Award

32	Preference of employment
26	Protective and work clothing
15	Public holidays
29	Right of entry
8	Rates of pay and allowances
5A	Savings clause
4	Scope and parties bound
9	Site allowances
30	Shop stewards



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2 - Arrangement - contd

Clause no	Subject matter
34	Shop stewards meeting
12	Shift work - working hours
17	Sick leave
40	Shortage of material etc.
39	Supercession
28	Time and wages record
1	Title
33	Trade union training
36	Trainees (ATS)
20	Travel
27	Wet work
38	Work done through contractors
10	Working hours - day work

3 - PERIOD OF OPERATION

This Award shall come into force on and from July 1 1988 and shall continue in force for twelve months.

4 - SCOPE AND PARTIES BOUND

This Award shall apply to The Australian Workers' Union and its members and to the organisations and employers listed in the Schedule of Respondents of this Award in respect of the employment of all persons whether members of the Union or not on work performed in or in connection with:

(a) the manufacture and/or preparation of bitumen emulsion, asphalt emulsion, bitumen or asphalt preparations, hot pre-mixed asphalt, cold pre-mixed asphalt and mastic asphalt;

(b) the applying and/or laying and/or fixing of bitumen emulsion, tackcoat, asphalt emulsion, bitumen or asphalt preparations, hot pre-mixed asphalt, cold pre-mixed asphalt and mastic asphalt.

5 - AREA OF OPERATION

This Award shall operate in the State of Western Australia.

5A - SAVINGS CLAUSE

It is agreed between the parties that this Award is designed to cater for the unique nature and peculiarities of employment in the asphalt and bitumen industry in Western Australia and as such will not be used in negotiation or proceedings concerning areas of employment outside Western Australia.

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6 - CONTRACT OF EMPLOYMENT

Method of engagement

Weekly employment

- (a) (i) Employment shall be by the week, unless an employee is specifically engaged as a casual. Where employment is by the week it shall be for at least eight weeks continuous employment.

Casual employment

- (ii) (1) a casual employee is one engaged by the hour and paid as such. A casual employee for working ordinary time shall be paid one thirty-eighth of the weekly award wage and the industry allowance prescribed herein for each hour so worked, plus loading of 20 per cent.

Where a casual employee works overtime or on a public holiday the casual rate shall be the base upon which the appropriate overtime or Public Holiday penalty rate is applied.

The 20 per cent loading prescribed herein is in lieu of all paid leave and public holidays not worked and to compensate for the nature of casual employment.

- (2) An employee shall not be engaged for a continuous period of more than eight weeks as a casual without written agreement between the employer concerned and the Branch Secretary of the Union.

Absence from duty

- (b) If a weekly engaged employee absents himself from work, his wages shall be subject to a deduction proportionate to the length of his absence except when absent on paid leave.

Employee's address

- (c) (i) At the time of engagement, the employee shall provide a written statement of his usual place of residence
- (ii) The employee shall inform his employer in writing of any subsequent change in his usual place of residence.

Classification of employee

(d) Upon commencing work with an employer, an employee shall be classified under a classification prescribed by this Award, and shall remain upon such classification and be paid the wage prescribed therefor unless re-classified. A weekly employee or a casual employee shall be entitled to one week's notice or one day's notice respectively of any proposed re-classification by the employer.

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6 - Contract of employment - contd

Mixed functions

(e) An employee engaged at the direction of the employer for more than two hours in the aggregate during one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If so engaged for two hours or less during one day or shift he shall be paid the higher rates only for the time so worked.

Termination of employment

Employees engaged by the week

- (f) (i) Termination of all weekly engagements shall require a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be.

Where an employer has given notice as aforesaid to a weekly-engaged employee, the employer shall grant, if requested, leave of absence without pay for one day to enable the employee to look for alternative employment.

Casual employees

- (ii) Termination of all casual engagements shall require an hour's notice on either side given at any time during the week or the payment or forfeiture of an hour's pay as the case may be.

Summary dismissal

- (iii) This clause shall not affect the employer's right to dismiss forthwith at any time an employee because of the latter's incompetence or misconduct in which case the employee shall be paid all wages due to him up to the time of dismissal only.

7 - PAYMENT OF WAGES

Method of payment

- (a) Employees shall be paid their weekly wages in cash, or where agreement is reached between the employer and the employee, payment of wages may be by cheque or paid into an account as nominated by the employee.

Time of payment

- (b) (i) Employees shall be paid their wages during working hours on or before the regular nominated pay day.
- (ii) Where employees are not paid by the end of working hours on the nominated pay day, they shall be entitled to be paid waiting time at ordinary rates up to 7.6 hours per day seven days of the week for the time they have to wait for payment.

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7 - Payment of wages (b)(ii) - contd

Provided that, if because of circumstances beyond the reasonable control of the employer (the onus of proof resting on the employer) he cannot so pay the wages, he shall only be bound to pay the employees at the earliest reasonable time.

Payment on termination

- (c) When notice is given in accordance with subclause 6(f) of this Award all moneys due to the employee pursuant to this Award shall be paid at the time of termination. Where this is not practicable the employer shall within two clear working days of the termination send to the employee's home address all moneys due by registered post or if agreed between the employer and employee, the employer shall make the moneys available at a nominated place. Provided that if the money is not posted within that time, or is not available at the nominated place, then any time spent waiting after the date of termination shall be paid for at ordinary rates. Such payment shall be at the rate of 7.6 hours per day.

Provided further that no payment for waiting time is payable where the employee nominates to pick up his moneys and then does not report to pick up those moneys.

This clause shall not apply if an employee has abandoned his employment as per subclause 6(f) of this Award.

Wage particulars

(d) Particulars of details of payment to each employee shall be included on the envelope enclosing the payment, or in a statement provided to the employee at or before the time payment is made, and shall contain the following information:

- (i) The employee's classification or rate.
- (ii) Date of payment.
- (iii) Period covered by such payment.
- (iv) The amount of wages paid for work at ordinary rates.
- (v) The number of hours paid at overtime rates and the amount paid therefore.
- (vi) The amount of allowances or special rates paid and the nature thereof.
- (vii) The gross amount of wages and allowances paid.
- (viii) The amount of each deduction made and the nature thereof.
- (ix) The net amount of wages and allowances paid.
- (x) Any payments in respect of public holidays or paid leave.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN INDUSTRY (WA) AWARD 1988 [A457]

8 - RATES OF PAY AND ALLOWANCES

(a) Tables

PART 1 - MANUFACTURE AND PREPARATION

Classification	Weekly rate
	\$
1 Employees in charge of plant	358.90
2 Employees who operate mixing plant	343.80
3 Loader Drivers:	
(A) 40 kW net engine power and above	338.70

	(B) Below 40 kW net engine power	328.30
4	General Hands	
	(A) With six or more months' experience	318.10
	(B) With less than six months' experience	300.30

PART II - APPLYING, LAYING AND FIXING

Classification		Weekly rate \$
1	Employees who lead a crew and who are not Foremen	358.90
2	Plant Operators including relief operators	
	(A) Paver, screed, roller of 3 tonne and above, and Spray Truck Driver	338.70
	(B) Roller and under 3 tonne, sprays and Rake Hand	328.30
3	General hands	
	(A) With six or more months' experience	318.10
	(B) With less than six months' experience	300.30



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8 - Rates of pay and allowance - contd

PART III - SPRAY AND COVER (BORAL)

Classification		Weekly rate \$
1	Drivers of bituminous products spraying vehicle, with a combined weight of vehicle and maximum load of:	
	(A) Under 15 tonnes	345.60
	(B) 15 tonnes and under 31 tonnes	358.80
	(C) 31 tonnes and under 37 tonnes	366.80
	(D) 37 tonnes and under 43 tonnes	370.90
	(E) 43 tonnes and under 49 tonnes	375.00
	(F) over 49 tonnes	383.20

Where the product trailers are drawn, the combined weight of the trailer and maximum load is to be treated as part of the combined weight of which wages are determined for all purposes of the Award.

2	Drivers of aggregate spreader trucks	
	(A) Up to and including 10 tonnes carrying capacity	338.70
	(B) Over 10 tonnes carrying capacity where tip trucks tow trailers with a carrying capacity in excess of 10 tonnes, an additional \$7.60 per week will be paid.	340.70
3	Drivers of:	
	(A) Aggregate loader, flaherty spreader, rubber-tyred wheeled tractor with rotary broom or other power operated equipment in use. e.g. front-end loader and rollers.	338.70
4	Bituminous Products Sprayman:	
	(A) Cockerill Spreader Operator Flaherty Spreader Operator	338.70
5	General hands:	
	(A) With six or more month' experience	318.10
	(B) With less than six months' experience	300.30

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8 - Rates of pay and allowance - contd

PART IV - TRAINEES

The following percentages are based on the classification prescribed in wages Part II - 2 (A) hereof: Paver, screed roller of 3 tonnes and above, and Spray Truck Driver.

1	Trainees age	year 1 %	year 2 %
	15 years of age	55	-
	16 years of age	57.5	67.5
	17 years of age	65	75
	18 years of age	72.5	82.5
	19 years of age	80	100
	20 years of age	87.5	100

PART V - ALL EMPLOYERS - SKILLS ACQUISITION

1 Upon successful completion of the course an employee shall be paid a loading of 10% in addition to the rate prescribed in Part II-2(A) hereof.

Industry allowance

(b) The rates prescribed in paragraphs (c)(i), (ii) and (iii) hereof and of this clause are inclusive of an industry allowance of \$14.00 per week which shall be paid to each employee covered by the terms of this Award. Such allowance shall be to compensate for the following disabilities:

- climatic conditions when working in the open on all types of work or on multi-storey construction prior to it being enclosed;
- the physical disadvantages of having to climb stairs or ladders; particularly on multi-storey construction;
- dust blowing on construction sites;
- sloppy or muddy conditions associated with initial stage of construction;
- dirty conditions caused by use of form oil or green timber;
- drippings from newly poured concrete;
- the disability of working on all types of scaffold other than single plank or bosuns chair; and
- the lack of usual amenities associated with factory work.

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8 - Rates of pay and allowance - contd

Special rates

(c) The following special rates shall be paid as prescribed irrespective of the times at which the work is being performed and shall not be subject to any premium or penalty addition. Where more than one of the rates prescribed below provides payment for disabilities of substantially the same nature then only the highest of such rates shall be payable.

Confined space allowance

- (i) An employee required to work in a place the dimensions or nature of which necessitate working in a cramped position or

without sufficient ventilation shall be paid an additional \$0.40 per hour or part thereof.

Toxic substances

- (ii) (1) Employees required to use toxic substances shall be informed by the employer of the health hazards that may be involved and instructed in the correct and necessary safeguards which must be observed in the use of such substances.
- (2) Employees using toxic substances shall be provided with and shall use all safeguards as are required by the appropriate Government Authority or, in the absence of such requirement, such safeguards as are defined by a competent authority or person chosen by the Union and the employer.
- (3) Employees using toxic substances or materials of a like nature shall be paid \$0.40 per hour extra. Employees working in the same enclosed area or, if in an open area, in close proximity to employees so engaged shall be paid \$0.32 per hour extra.

Wet work allowance

- (iii) Employees working in any place where water is continually dripping on the employee so that clothing and boots become wet, or where there is water underfoot shall be paid \$0.32 extra per hour. This allowance shall not be paid in addition to the amount prescribed in clause 27 of this Award.

Dirty work

- (iv) An employee engaged on work of an unusually dirty nature for the occupation concerned shall be paid an additional \$0.32 per hour or part thereof.

Fumes

- (v) An employee required to work in a place where fumes of sulphur or acid or other similarly offensive fumes are present shall be paid such rates as are agreed upon between the Union and the employer.

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9 - SITE ALLOWANCES

The Union on behalf of its members may request an employer to consider a site allowance to compensate for all special factors and/or disabilities on a project.

Where the parties have considered the merit of the claim and have agreed on a proposed rate, it shall be referred to the Commission for ratification.

Where agreement cannot be reached, the parties shall refer the matter to the Commission which shall determine an appropriate rate, if any, to compensate for such special factors and/or disabilities. Provided however, that the Commission may determine that such site allowance shall be paid in lieu of any of the special rates related to conditions on the site as prescribed in subclause 8(c) of this Award.

The Commission shall ratify or determine such matters on the criteria outlined in the Full Bench decision of the Australian Conciliation and Arbitration Commission dated 25 February 1983.

Where the procedure prescribed by this subclause is being followed, work shall continue normally.

A site allowance determined in accordance with this clause shall be deemed to be prescribed by this Award.

Notwithstanding the above, the Union undertakes that for the term of this Award it shall not make claims for site allowances either generally or specifically for sites within 50 kilometres from the GPO Perth, and the Union and the employers agree that in lieu of the Union having the ability to make such site allowance claims, liberty is reserved for the Union to seek an increase in the industry allowance and special rates.

10 - WORKING HOURS - DAY WORK

(a) Except as provided elsewhere in this Award the ordinary working hours shall be 38 per week worked as a twenty day four week cycle of eight hours each on Monday to Friday inclusive, between the hours of 7 a.m. and 6 p.m. with 0.4 of one hour of each day worked accruing as an entitlement to take the fourth Monday in each cycle as a day off paid for as though worked.

Provided that by agreement in writing between an employer and his employees an alternate day in the four week cycle may be substituted for the fourth Monday as the day off paid as though worked, and where such agreement is reached all provisions of this Award shall apply as if such day was the prescribed fourth Monday.

(b) Where such fourth Monday or agreed rostered day prescribed in subclause (a) hereof falls on a public holiday as prescribed in clause 15 of this Award the next working day shall be taken in lieu of the rostered day off unless an alternate day in that four week cycle or the next is agreed in writing between the employer and the employee.

(c) Each day of paid leave taken and any public holiday occurring during any cycle of four weeks shall be regarded as a day worked for accrual purposes.

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10 - Working hours - day work - contd

(d) An employee who has not worked, or is not regarded by reasons of subclause (c) hereof as having worked, a complete 20 day four week cycle shall receive pro rata accrued entitlements for each day worked or regarded as having been worked in such cycle, payment for the rostered day off or, in the case of termination of employment, on termination.

(e) Working on rostered day off: The accrued day off prescribed in subclause (a) and (b) hereof may be worked where it is required by the employer and such work is necessary to allow other employees to be employed productively or to carry out out-of-hours maintenance or because of unforeseen delays to a particular project or a section of it or for other reasons arising from unforeseen or emergency circumstances on a project, in which case, in addition to accrued entitlements, the employee shall be paid at overtime rates in accordance with subclause 11(a) of this Award.

(f) In lieu of the above method of working the 38 hour week and where it is agreed between the employer and the majority of the employees affected any of the following methods of implementation may be used in lieu of the provisions of subclause (a) hereof:

(i) by employees working eight ordinary hours Monday to Thursday plus six hours Friday; or

(ii) by employees accumulating up to six rostered days off over a 52 week period. The balance of the thirteen RDOs accrued shall be taken in the manner prescribed by clause (a) hereof.

(g) The employer shall advise the AWU Branch Secretary in writing of the method of working the 38 hour week and of any subsequent changes.

(h) Where special circumstances exist and a majority of employees desire to work longer hours on any day they may, subject to the consent of the employer and the consent of the Union Branch Secretary, be permitted to do so without payment of any penalty rate provided the longer hours so worked do not exceed two on any one day.

11 - OVERTIME

(a) Except as otherwise provided, all time worked in excess of or outside of the ordinary hours of work as prescribed in subclause 10(a) of this Award shall be paid for at one and a half times the ordinary prescribed rate for the first two hours at double the ordinary prescribed rate for all time thereafter. Such double time shall continue until the completion of the overtime work.

(b) For the purpose of computation of overtime under this clause:

(i) The hourly rate shall be determined by dividing the appropriate weekly rate (inclusive of the industry

allowance) by 38.

- (ii) Each day's work shall stand alone except where overtime is continuous with the previous day.
- (iii) A day shall mean all time between midnight on any one day and midnight on the succeeding day.

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11 - Overtime - contd

Weekend work

- (c) (i) Overtime worked on a Saturday shall be paid for at the rate of time and a half for the first two hours and double time thereafter.
- (ii) All time worked on a Sunday shall be paid for at the rate of double time.
- (iii) An employee who works overtime on a Saturday or on a Sunday shall be afforded at least three hours work or shall be paid for three hours at the appropriate rate.
- (iv) An employee working on a Saturday or Sunday shall be entitled to meal breaks and rest pauses as prescribed in subclause 13(e) and (f) of this Award.

Callouts

Monday to Friday

- (d) (i) An employee called out to work on Monday to Friday after leaving the workplace for the day shall be paid for a minimum of four hours work calculated at the rate of time and a half for each time he is called out (whether notified before or after leaving the workplace).

Provided that the employee, if required to work for two hours or more, shall be paid for a minimum of four hours calculated at the rate of time and a half for the first two hours and double time thereafter.

Saturdays

- (ii) An employee called out to work on a Saturday, shall be paid for a minimum of three hours work calculated at the rate of time and a half for each time he is so called out. Provided that the employee, if required to work for two hours or more, shall be paid for a minimum of three hours work calculated at time and a half for the first two hours and

double time thereafter.

Sundays

- (iii) An employee called out to work on a Sunday shall be paid at the rate of double time for a minimum of three hours at the first callout and for the actual time worked at each subsequent callout.

Public holidays

- (iv) An employee called out to work on a public holiday shall be paid at the rate of double time and a half for a minimum of three hours at the first callout and for the actual time worked at each subsequent callout.

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11 - Overtime (d) - contd

- (v) This subclause shall not apply in cases where the overtime is continuous (subject to meal breaks) with the completion or commencement of ordinary working time.

Ten hour rest break

- (e) (i) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least ten consecutive hours off duty between the work of successive days.

- (ii) An employee who works so much overtime that he has not had at least ten consecutive hours off duty:

- (1) between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day; or

- (2) between 4 p.m. on a Sunday, public holiday or rostered day off and the commencement of his ordinary work on the next day,

shall, subject to this subclause, be released after completion of such overtime until he has had ten consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

- (iii) If on the instructions of his employer, such an employee resumes or continues to work without having had such ten consecutive hours off duty he shall be paid at the rate of double time until he is released from duty for such period and he shall then be entitled to be absent until he has had

ten consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

(iv) The provisions of this clause shall apply in the case of shift workers as if eight hours were substituted for ten hours when overtime is worked:

- (1) for the purpose of changing shift rosters; or
- (2) where a shift worker does not report for duty and a day worker or shift worker is required to replace such shift worker; or
- (3) where a shift is worked by arrangement between the employees themselves.

(f) When an employee after having worked overtime on a shift for which he has not been regularly rostered finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home or to the nearest appropriate public transport.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
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12 - SHIFT WORK - WORKING HOURS

Application of this clause

(a) Should there be any inconsistency between this clause and any other clauses in this Award, the provisions of this clause take precedence in respect of employees engaged on shift work.

Definitions - shift work

- (b) (i) "Day shift" means any shift started at or after 6 a.m. and before 10 a.m.
- (ii) "Afternoon shift" means any shift starting at or after 10 a.m. before 8 p.m.
- (iii) "Night shift" means any shift starting at or after 8 p.m. and before 6 a.m.
- (iv) "Rostered shift" means a shift on which the employee concerned has had at least 48 hours' notice.

Ordinary working hours

(c) The ordinary working hours of employees on shift work shall not exceed an average of 38 per week spread over a period of two, three or four weeks to be worked in shifts of eight hours inclusive of a meal break of 30 minutes which shall be counted as time worked.

Where employees on shift work are working the 38 hour week as a twenty day cycle with one rostered day off per cycle they shall accrue 0.4 of one hour for each eight hour shift worked to allow one complete shift to be taken off as a paid shift for every twentieth shift cycle. This twentieth shift shall be paid for at the appropriate shift rate as prescribed by this clause and any appropriate allowance as prescribed in clause 20 of this Award.

Holiday and leave adjustment

- (i) Each day of paid leave and any public holiday occurring during any cycle of four weeks shall be regarded as a shift worked for accrual purposes.

Pro rata accrued entitlements

- (ii) Employees not working a complete four weeks cycle shall be paid accrued pro rata accrual entitlements for each shift worked.

Accruals on termination

- (iii) An employee shall be paid his accrued entitlements on termination.

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12 - Shift work - working hours - contd

Roster of shifts

Roster of shifts

- (d) (i) There shall be a roster of shifts which shall provide for rotation unless all the employees concerned desire otherwise. Shifts shall be worked according to such roster.

Agreement on working roster

- (ii) (1) The employer and employees shall agree in writing upon arrangements for rostered paid days off or for accumulation of accrued days to be taken at or before the end of a particular project.
- (2) Accumulation of accrued days in subparagraph (i) hereof shall be limited to no more than five days before they are taken as paid days off. When taken, the days shall be regarded as days worked for accrual purposes in the particular twenty shift cycle. Once such days have been rostered, they shall be taken as paid days off. Provided that by written agreement with the Union, more than five days may be accumulated.

Working on rostered day off

- (iii) Where an employer, for emergency reasons, requires an employee to work on his rostered day off, he shall be paid in addition to his accrued entitlement the penalty rates prescribed in subclause 12.5.

Overtime rates

- (e) (i) Work done by shift workers in excess of or outside the ordinary working hours inclusive of time worked for accrual purposes as prescribed in subclause (b) hereof of their shift or on a shift other than a rostered shift shall be paid at the rate of double time.

Provided that the above provision shall not apply to arrangements between the employees themselves or in cases due to rotation of shift or when the relief does not come on duty at the proper time.

- (ii) For all time off duty after he has finished his ordinary shift such unrelieved employee shall be paid at the rate of time and a half for the first eight hours and double time thereafter.

Provided that the above provision shall not apply where a rostered employee has notified the employer at least four hours before the commencement of a shift of his inability to attend work. In such cases, if the employer requires the unrelieved employee to continue working past the finish of his ordinary shift, he shall be paid at the rate of double time.

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12 - Shift work - working hours - contd

Shift loadings

- (f) (i) A shift worker whilst on afternoon or night shift other than a Saturday, Sunday or holiday shall be paid for such shift 15% more than his ordinary rate.
- (ii) Where a shift worker is required to work on any afternoon or night shift which does not provide for at least five successive afternoons or nights he shall be paid at the rate of time and a half.
- (iii) An employee who (except at his own request pursuant to subparagraph (3) hereof):
 - (1) during a period of engagement on shift, works night shift only; or

(2) remains on a night shift for a longer period than four successive weeks; or

(3) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each cycle

shall during such engagement, period or cycle be paid 30% more than his ordinary rate for all time worked during ordinary working hours inclusive of time worked for accrual purposes as prescribed in paragraph (i) hereof on such night shift.

Payment for weekend shift work

(g) A shift worker shall be paid at the minimum rate of time and a half for ordinary hours of work (including time worked for accrual purposes) between midnight Friday and midnight Saturday.

Sundays and public holidays

(h) Subject to this clause the provisions of clauses 11 and 15 of this Award shall apply to shift workers. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday. Where shifts fall partly on a Sunday or a holiday, that shift the portion of which falls on a Sunday or a holiday shall be regarded as the Sunday or holiday shift.

Callout

(i) A shift worker called out to work after the expiration of his customary working time and after he has left work for the shift, or called out to work on a day on which he is rostered off, shall be paid for a minimum of three hours work calculated at double the ordinary prescribed rate for each time he is so called out. Provided that if called out on a Public Holiday such payment shall be calculated at the rate of double time and a half.

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12 - Shift work - working hours - contd

Transport after shift work

(j) When an employee after having worked a shift for which he has not been regularly rostered finishes work at a time when reasonable means of transport are not available, the employer shall provide him with transport to his home or to the nearest appropriate public transport.

13 - MEAL BREAKS, ALLOWANCES AND CRIB BREAKS

Meal break - day workers

(a) There shall be a cessation of work between noon and 1 p.m. each day Monday to Friday for the purpose of taking an unpaid meal break of not less than 45 minutes. Provided that, by agreement between the employer and the majority of employees, the meal break may be shortened to 30 minutes with a consequential adjustment to the daily time of cessation of work. The relevant provisions for shift workers are set out in subclauses 12(c), 13(d) and 13(e) of this Award.

Delayed meal break - day workers

(b) Where an employee does not complete his meal break within the time prescribed in subclause (a) hereof as a result of having been required to continue working and thus deferring his meal interval, he shall be paid at the rate of time-and-a-half for the first half hour and double-time thereafter for all time elapsing between the time at which the meal is customarily taken and the time the meal interval is commenced. However, if it is necessary to continue work so as not to render work already performed useless, the Union agrees that a meal break of the normal duration may be taken up to but not more than one hour later than the normal time or may be taken up to but not more than one half an hour earlier than the customary time without penalty.

Tea break

(c) Two tea breaks of 7-1/2 minutes duration on each day to be counted as time worked shall be allowed to employees without deduction of pay. The employer shall fix the time for the commencement of the tea break and shall provide the necessary facilities and the labour to brew tea for the employees at the commencement of each tea break. However, one smoko break of fifteen minutes duration may be taken in lieu of the two 7-1/2 minute smokos as provided in this clause, provided that the majority of employees agree. The employers shall notify the AWU Branch Secretary in writing of any such agreement and of any such alterations thereto.

Crib break on overtime

(d) (i) (1) Where an employee is required to work overtime after the usual ceasing time on any day or shift for one and a half hours or more, he shall be allowed a crib break of twenty minutes duration immediately before such ceasing time. The rest pause shall be paid at ordinary rates.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
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13 - Meal breaks, allowances and crib breaks (d)(i) - contd

(2) Provided than an employee and employer may agree that

a payment of twenty minutes at ordinary rates be made in lieu of such crib break.

- (ii) (1) Thereafter, after each such four hours of continuous overtime work, the employee shall be allowed a crib break of twenty minutes without deduction of pay if the employee continues work after the rest pause.
 - (2) Provided that an employer and employee may agree that a payment of twenty minutes at double time (or on public holidays, double time and a half) be made in lieu of such crib break.
- (iii) For the purpose of this subclause, the ceasing time is the end of ordinary hours inclusive of time worked for accrual purposes.

Meal allowance

(e) An employee required to work overtime for at least one and a half hours after working ordinary hours on any day or shift shall be paid by his employer an amount of \$5.40 to meet the cost of a meal, or shall at the option of the employer, be provided by the employer with an adequate and suitable meal.

Crib Break on a Saturday, Sunday or public holiday - day workers

- (f) (i) An employee working on a Saturday, Sunday or public holiday shall be allowed a crib break paid at the appropriate rate of twenty minutes' duration after each four hours of work, if the employee continues work after the crib break.

Provided that where an employee is required to work on a Saturday the first prescribed crib break shall, if occurring between 10 a.m. and 1 p.m. be paid for at ordinary rates.

- (ii) An employer and employee may agree to any variation of paragraph (i) hereof to meet the circumstances of the work in hand, but no payment in excess of twenty minutes at the appropriate rate shall be required.

14 - ACCIDENT PAY

The circumstances under which an employee shall qualify for accident pay shall be as prescribed hereunder.

(a) The employer shall pay an employee accident pay where the employee received an injury for which weekly payments or compensation are payable by or on behalf of the employer pursuant to the provisions of the relevant workers' compensation legislation.

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14 - Accident pay - contd

(b) An employer shall pay or cause to be paid accident pay during the incapacity of the employee arising from any one injury for a total of 52 weeks whether the incapacity is in one continuous period or not.

(c) The liability of the employer to pay accident pay shall arise as at the date of the injury or accident in respect of which compensation is payable and the termination of the employee's employment for any reason during the period of any incapacity shall in no way affect the liability of the employer to pay accident pay.

(d) In the event that an employee receives a lump sum in redemption of weekly payments, the liability of the employer to pay accident pay shall cease from the date of such redemption.

(e) An employer may at any time apply to the Australian Conciliation and Arbitration Commission for exemption from the requirements of this clause on the grounds that an accident pay scheme proposed and implemented by that employer contains provisions generally not less favourable to his employees than the provisions laid down by this clause.

(f) "Accident pay" means a payment of an amount being the difference between the amount of compensation paid to the employee pursuant to the said relevant workers' compensation legislation and the ordinary weekly (exclusive of overtime) amount the employee would have received had he been at work for the period of such injury.

15 - PUBLIC HOLIDAYS

An employee, other than a casual employee (as defined), shall be entitled to the following paid public holidays.

Western Australia

(a) New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Foundation Day, Eight Hour Day or Labour Day, Christmas Day, Boxing Day, Birthday of the Sovereign

(b) Where an additional or substitute public holiday is proclaimed by Order in Council or otherwise gazetted by authority of the Australian or a State Government under any Act throughout any State or part thereof, such day shall, within the defined locality, be deemed to be a holiday for the purposes of this Award; provided that an employee shall not be entitled to the benefits of more than one holiday upon such occasion.

(c) All work performed by an employee (including a casual) on any of the holidays prescribed in this clause or substituted in lieu thereof shall be paid for at the rate of double time and a half.

(d) By agreement between any employer and the Union, other days may be substituted for the said days or any of them.

(e) The provisions of subclause 11(e) of this Award shall apply to public holidays.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

15 - Public holidays - contd

(f) An employee required to work on a public holiday shall be afforded at least four hours' work or paid for four hours at the appropriate rate.

(g) Provided that:

(i) An employer who terminates the employment of an employee except for reasons of misconduct or incompetency (proof of which shall lie upon the employer) shall pay the employee a day's ordinary wages for each holiday prescribed by this Award or each holiday in a group as prescribed in paragraph (ii) hereof which falls within ten consecutive days after the day of termination.

(ii) Where any two or more of the holidays prescribed in this Award occur within a seven day span, such holidays shall for the purpose of this Award be a group of holidays. If the first day of the group of holidays falls within ten consecutive days after termination, the whole group shall be deemed to fall within the ten consecutive days.

Christmas Day, Boxing Day and New Year's Day shall be regarded as a group.

(iii) No employee shall be entitled to receive payment from more than one employer in respect to the same public holiday or group of holidays.

(h) Where, in a State or Territory or locality within a State or Territory, an additional public holiday is proclaimed or gazetted by the authority of the Commonwealth Government or of a State or Territory Government and such proclaimed or gazetted holiday is to be observed generally by persons throughout that State or Territory or a locality thereof, other than by those covered by Federal awards, or when such a proclaimed or gazetted day is, by any required judicial or administrative order, to be so observed, then such day shall be deemed to be a holiday for the purposes of this Award for employees covered by this Award who are employed in the State, Territory or locality in respect of which the holiday has been proclaimed or ordered as required.

16 - ANNUAL LEAVE

Leave entitlement

(a) (i) An employee other than a casual employee (as defined) who has been in the constant service of the one employer for at

least one year (less the period of annual leave) and who has not absented himself from employment without leave shall, for each completed year of service, be entitled to leave of absence for a period of 28 consecutive calendar days.

- (ii) An employee's leave entitlement shall be in addition to any of the Public Holidays prescribed by this Award.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

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16 - Annual leave (a) - contd

- (iii) Provided that where a rostered day off, as prescribed in clauses 10 or 12 of this Award falls during the period in which annual leave is taken payment of accrued entitlements for such day shall be made in addition to annual leave payment as prescribed in this clause.

Method of taking leave

- (b) (i) Either 28 consecutive calendar days, or two separate periods of not less than seven consecutive calendar days in all cases exclusive of any public holidays occurring therein, shall be given and taken within six months from the date when the right to annual leave accrued.

Provided that where there is agreement between the employer and the Branch Secretary of the Union, annual leave may be granted and taken in more than two periods.

- (ii) Where an employee requests that leave be allowed in one continuous period such request shall not be unreasonably refused.
- (iii) In the circumstances where a public holiday falls within one day of a weekend of another public holiday the provisions of paragraph (i) hereof may be altered by agreement between the employer and a majority of employees affected under this Award provided that a day of annual leave entitlement may be granted on the day between the said public holidays and/or weekend.

Annual close down

- (iv) Where the employer elects to close down a section or sections of its operations during the Christmas/New Year period for the purpose of allowing annual leave to such employees engaged therein, the following provisions shall apply:

- (1) The employer shall notify all employees concerned of

its intention to close down their area of work by 1 November of that year.

- (2) Such notification shall specify the actual dates of close down.
- (3) Employees who do not have an entitlement to annual leave at that time shall be granted proportionate paid leave.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

16 - Annual leave - contd

Leave allowed before due date

- (c) (i) An employer may allow an employee to take his annual leave prior to the employee's right thereto. In such circumstances the qualifying period of further annual leave shall not commence until the expiration of twelve months from the full period in respect of which the leave so allowed was taken.
- (ii) Where an employer has allowed an employee to take his annual leave pursuant to paragraph (i) hereof and the employee's services are terminated (by whatsoever cause) prior to the employee completing the twelve months continuous service for which leave was allowed in advance, the employer may for each complete week of the qualifying period of twelve months not served by the employee, deduct from whatever remuneration is payable upon the termination of the employment $\frac{1}{52}$ of the amount of wages paid on account of the annual leave.

Proportionate leave on termination

(d) Where an employee has given five working days or more continuous service inclusive of any day off as prescribed by clauses 10 or 12 of this Award (excluding overtime) and he either leaves or his employment is terminated by the employer, he shall be paid $\frac{1}{12}$ of an ordinary week's wages in respect of each completed five working days of continuous service with his current employer for which leave has not been granted or paid for in accordance with this Award.

In the case of a shift worker 5/47 shall be substituted for one-twelfth.

Calculation of continuous service

In calculating service under this clause, all periods of paid leave shall be counted as time worked.

Except in the case of absence due to illness or accident up to a maximum

of four weeks after the expiration of paid sick leave credits, all periods of leave without pay shall not be counted as time worked in calculating service.

Provided that this exclusion shall not apply to an absence for which compensation is payable under an Act of Parliament relating to workers' compensation in respect of periods of less than twelve months.

Leave payment

Payment for period of leave

- (f) (i) Each employee before going on leave shall be paid in advance the wages which would ordinarily accrue to him during the currency of the leave.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

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16 - Annual leave (f) - contd

Annual leave loading

Day workers

- (ii) (1) In addition to the payment prescribed in paragraph (i) hereof an employee shall receive during a period of annual leave a loading of 17.5% calculated on the rates prescribed in subclauses 8(a),(b) and clause 37 of this Award.

Shift workers

- (2) An employee who would have worked on shift work had he not been on annual leave shall be paid an additional loading of 17.5% calculated in accordance with the provisions of subparagraph (1) hereof.

Provided that where the employee would have received shift loadings prescribed in clause 12 of this Award had he not been on leave during the relevant period he shall receive the prescribed 17.5% loading or alternatively the relevant shift loading whichever is the greater.

Termination of employment

- (3) The loadings prescribed above shall also apply to proportionate leave on lawful termination.

Additional leave for regular shift work

(g) In addition to the leave prescribed in paragraph (a)(i) hereof shift workers who are rostered to work regularly on Sundays and public

holidays, shall be allowed five working days leave.

Where an employee is engaged for part of a twelve-monthly period as a seven day shift worker, he shall be entitled to have the period of annual leave prescribed in paragraph (a)(i) hereof increased by half a day for each month he is constantly engaged as aforesaid.

Commencement of leave - distant jobs

(h) If an employee is still engaged on a distant job (as defined in clause 21 of this Award) when annual leave is granted and he returns by the first reasonable means of transport to his place of engagement (or, if employed prior to going to the distant job, to his usual place of residence), his annual leave shall commence on the first full working day following his return to such place of engagement or usual place of residence.

Leave to be taken

(i) An employer shall not make payment to an employee in lieu of his annual leave or any part thereof except as is provided for in this clause and no contract, arrangement, or agreement shall vary, or vitiate the operation of this clause.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

17 - SICK LEAVE

(a) An employee on weekly engagement who is absent from his work on account of personal illness or injury by accident other than that covered by Workers' Compensation shall be entitled to leave of absence without deduction of pay subject to the following:

(i) An employee shall within 24 hours of the commencement of such absence inform the employer of his inability to attend for duty and as far as practical state the nature of the injury or illness and the estimated duration of his absence.

(ii) He shall prove to the satisfaction of his employer that he was unable because of such illness or injury to attend for duty on the day or days for which sick leave is claimed.

(iii) An employee during his first year of employment with an employer shall be entitled to sick leave of eight days' sick leave and ten days' sick leave in the second and subsequent years of employment.

(b) (i) In any one calendar year, an employee who has been allowed two days' paid sick leave without a medical certificate shall not be entitled to payment for further sick leave unless he produces a certificate from a duly qualified medical practitioner certifying that the employee was unable to attend for duty on account of personal illness or injury.

(ii) In lieu of a medical certificate, an employer may agree to accept from the employee a statutory declaration stating that the employee was unable to attend for duty on account of personal illness or injury.

(c) Sick leave with an employer shall accumulate from year to year so that any balance of the period specified in paragraph (a)(i) hereof which in any year has not been allowed to an employee by that employer as paid sick leave may be claimed by the employee and subject to the conditions prescribed in this clause shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year.

(d) If an employee is terminated by his employer and is re-engaged by the same employer within a period of six months then the employees unclaimed balance of leave shall continue from the date of re-engagement.

In such case, the employee's next year of service will commence after a total of twelve months served with that employer excluding the period of interruption in service from the date of commencement from the previous period of employment or the anniversary of the commencement of the previous period of employment as the case may be.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

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18 - BEREAVEMENT LEAVE

An employee on weekly engagement shall on the death within Australia of a wife, husband, father, mother, brother, sister, child or step-child, mother-in-law or father-in-law, be entitled on notice for leave to be taken in the period up to and including the day of the funeral of such relation, and such leave shall be without deduction of pay for a period not exceeding the number of hours worked by the employee on two ordinary days of work. Proof of such death shall be furnished by the employee to the satisfaction of his employer.

Provided further, an employee on weekly engagement shall be entitled to a maximum of two days leave without loss of pay on the production of satisfactory evidence of the death outside of Australia of an employee's husband, wife, father or mother where such employee travels outside of Australia to attend the funeral.

For the purposes of this clause, the words "wife" and "husband" shall include a person who lives with the employee as a de facto wife or husband.

This clause shall have no operation while the period of entitlement to leave under it coincides with any other period of entitlement to leave.

Provided further that, with the consent of the employer, which consent shall not be unreasonably withheld, an employee shall in addition to this entitlement to paid bereavement leave be entitled to reasonable unpaid bereavement leave up to ten working days in respect to the death within

Australia or overseas of a relation to whom the clause applies.

19 - JURY SERVICE

An employee required to attend for jury service shall be entitled to have his pay made up by the employer to equal his ordinary pay as for eight hours per day including fares as prescribed under clause 20 of this Award whilst undertaking this service. The employee shall notify his employer as soon as possible of the date upon which he is required to attend for jury service. He shall give his employer proof of attendance for jury service and the amount he has received in respect of it.

20 - TRAVEL

The following shall be paid to employees as compensation for travel patterns and costs peculiar to the industry, which include mobility requirements on employees and the nature of employment on asphaltting and bitumen work.

Reporting to yard or depot

- (a) (i) Where an employee reports for work to the employer's yard or depot and then proceeds to the job location in transport provided free of charge by the employer, he shall be paid for all time spent travelling to and from such job location at the ordinary hourly on site rates. Notwithstanding the above should total travel plus time worked not exceed the daily ordinary hours then travel time shall be deemed to be time worked.

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INDUSTRY (WA) AWARD 1988 [A457]

20 - Travel (a)(i) - contd

Provided further however, that where total travel time plus time worked exceeds the daily ordinary hours, then travel time shall be paid at ordinary hourly on site rates.

However in respect of job locations that require travel in excess of fifty kilometres radius from the GPO Perth, then all time spent travelling to and from such job locations shall be considered to be time worked.

- (ii) When employees are required to travel to and from work in the employer's vehicle, the employer shall provide the vehicle with suitable seating accommodation, together with fly and other cover to protect the employees from the weather.
- (iii) Explosives or goods or materials entailing risks to employees shall not be carried on vehicles while such vehicles are being used for the conveyance to and from the

place of work.

Reporting to job location

(b) Where employees report to the job location the following allowances shall apply:

- (i) Within a radius of 50 km of the GPO Perth \$8.40 per day.
- (ii) In respect of work carried out from an employer's depot situated more than 50 km radius from the GPO Perth, the main Post Office in the town in which such depot is situated shall be substituted as the centre and the allowance referred to in paragraph (i) hereof shall apply to all work located within a radius of 50 km of such centre.
- (iii) Where an employee travels daily to a job outside the radial area mentioned in paragraphs (i) and (ii) hereof he shall be paid at the ordinary hourly "on site" rate calculated to the next quarter of an hour, with a minimum payment as for one half hour for each return journey for any time outside working hours reasonably spent in travelling daily from the designated kilometre radius to a job and returning to that radius in addition to the allowance prescribed in paragraph (i) hereof, plus any expenses necessarily and reasonably incurred in so travelling outside such radius, provided that where an employee uses his own vehicle such expenses shall be paid at the rate of \$0.24 per kilometre travelled outside such radius.
- (iv) The above-mentioned allowances shall not be payable if the employer provides or offers to provide transport free of charge from the employee's home to his place of work and return, in which case he shall be paid on a daily basis for all time spent travelling to and from the job at the ordinary hourly site rate.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
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20 - Travel (b)(iv) - contd

However, where the distance is in excess of 50 kms radius from the GPO, all time spent travelling shall be counted as time worked.

21 - DISTANT WORK

- (a) (i) Where an employee is sent from one place to another and cannot reasonably return to this home each night, he shall be paid an allowance of \$28.30 per day or part thereof for the first six days and \$198.10 per week of seven days.

Provided that the foregoing rates of allowances shall be increased if the employee satisfies the employer that he reasonably incurred an expenditure greater than the amount specified.

- (ii) If an employer elects to provide suitable board and lodging free of charge for an employee, such allowances shall not be payable.

Suitable board and lodging shall mean lodging in a well kept establishment with three adequate meals each day, adequate furnishings good bedding, good floor coverings, good lighting and heating or airconditioning as may be required.

- (iii) An employee who is sent or engaged by the employer to go to a job which qualifies him to the provisions of this clause shall have his fares paid to and from the job by the employer and shall be paid for all time spent travelling in accordance with the provisions of subclause 20(a) of this Award when the employer's vehicle is used or when transport free of charge is provided, or subclause 20(b) of this Award if the employee reports to the job location. Wherever practicable the employer will provide the means of transport.

These provisions shall apply in relation to getting to the distant work location initially and on a daily basis once at such location.

- (b) (i) Notwithstanding any of the provisions of this clause, where the location of a distant job is in that area of the State of Western Australia north of latitude 26 degrees south, or in any other area of Western Australia where air transport is the only practicable means of travel, an employee may return home after four months' continuous service and shall in such circumstances be entitled to two days' leave with pay in addition to the weekend. Thereafter the employee may return home after each further period of four months' continuous service, and in each case he shall be entitled to two days' leave of which one day shall be paid leave. Payment for leave and reimbursement for any economy air fare paid by the employee shall be made at the completion of the first pay period commencing after the date of return to the job.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

21 - Distant work (b)(i) - contd

The provisions of this Clause shall apply wherever the employee is engaged.

Weekend return home

- (ii) (1) An employee who works as required during the ordinary hours of work on the working day before and the working day after a weekend and who notifies the employer or his representative, no later than Tuesday of each week, of his intention to return to his usual place of residence for the weekend, shall be paid an allowance of \$16.90 for each occasion.
- (2) Subparagraph (1) hereof shall not apply to an employee who is receiving the payment prescribed in paragraph (a)(i) hereof in lieu of board and lodging being provided by the employer or who is receiving a camping allowance as prescribed in clause 33 of this Award.
- (3) When an employee returns to his usual place of residence for a weekend or part of a weekend and does not absent himself from the job for any of the ordinary working hours, no reduction of the allowance prescribed in paragraph (a)(i) hereof shall be made.

22 - ON-SITE ACCOMMODATION

- (a) Where the employer provides transportable site accommodation and full messing facilities, there shall be no charge made to employees.
- (b) Site accommodation shall be high standard, air-conditioned, daily serviced rooms containing suitable bedding, lighting, cupboard and robe space, table and chair, and floor covering and shall be able to be locked by the occupant.
- (c) Amenities shall include, where permissible by law, a canteen area in which there is available all general stores including newspapers and magazines for sale at capital city prices.
- (d) A recreation room of adequate size shall be provided in which television sets and video sets shall be kept in good order and condition and regular supplies of video tapes are available for screening.
- (e) The mess room, ablution blocks and laundries shall comply with all Government and Local Government Health and Hygiene Regulations and upon their establishment, the employer shall arrange for Health Inspectors to visit and inspect at least monthly, and the report shall be placed on the notice-board.
- (f) Where a temporary accommodation as aforementioned houses more than ten men, a First Aid centre shall be provided and an appropriately qualified first Aid Officer shall be employed to carry out first aid duties in addition to his normal duties and shall be paid the allowance prescribed in subclause 23(c) of this Award.

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23 - FIRST AID FACILITIES

(a) The employer shall employ an employee on all large works with first aid qualifications who shall be responsible for administering first aid to injured or sick employees on the job or in the camp in addition to his normal duties and shall be paid the allowance prescribed in subclause (c) hereof.

The first aid kit

(b) A first aid kit, such as is required by law in the State in which the work is being performed, or, if there is no relevant State law, as set out hereunder, shall be provided and maintained by the employer on each job.

(i) At places of work where not more than six persons are employed, the first aid outfit shall be equipped and maintained to contain at least the following:

- Dustproof container
- Antiseptic solution - 2oz
- Sal volatile - 1oz
- Burn cream - 1 tube
- Triangular bandage - 1
- Plain gauze - 1oz
- Cotton wool - 1oz
- Lint - 1oz
- Small bowl for bathing minor wounds - 1
- Drinking Utensil - 1
- Roller bandages - 3x1", 1x3"
- Prepared Adhesive Dressings - 1 dozen
- Tweezers - 1 pair
- Scissors 4" - 1 pair
- Safety pins - 1 dozen
- Medicine glass - 1oz - 1
- Eye bath - 1
- First Aid pamphlet - 1
- Castor oil - 1oz
- Bicarbonate of soda - 1oz
- Boracic acid - 1oz

(ii) At places of work where more than six persons are employed the first aid outfit shall be equipped and maintained to contain at least the following:

- Dustproof container
- Antiseptic solution - 4oz
- Sal volatile - 2oz
- Burn cream - 1 tube
- Triangular bandages - 3
- Plain gauze - 4oz
- Cotton wool - 4oz
- Lint - 4oz
- Finger dressings - 1 dozen

Roller bandages - 3x1", 1x3"
Prepared adhesive dressings - 1 dozen
Splinter forceps, 5" - 1 pair
Dressing forceps, 5" - 1 pair
Scissors, 5" - 1 pair
Safety pins - 1 dozen

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
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23 - First aid facilities (b)(ii) - contd

Medicine glass, 2oz - 1
Eye bath - 1
First aid pamphlet - 1oz
Castor oil - 1oz
Bicarbonate of soda - 2oz
Boracic acid - 2oz
Towel - 1
Enamel drinking mug - 1

(iii) In Western Australia north of the 26th Parallel, first aid outfits shall in addition to requirements provided for in paragraphs (i) or (ii) hereof contain items specified by the Royal Flying Doctor Service Authority as recommended for first aid outfit requirements for those areas. This provision shall not apply in areas to which the RFDS does not extend.

(c) An employee who is appointed to carry out first aid duties and is qualified shall, in addition to his normal classified rate, be paid an amount of \$1.28 per day.

Injured or sick employees

(d) Where an employee is suffering an illness or from an injury sustained on the job or in the camp, he shall not be permitted to leave the job or the camp unless accompanied or assisted by a sufficient number of employees (except in the case of his removal by ambulance) to his home or the nearest hospital. All expenses incurred by such employee's removal shall be paid by the employer.

24 - AMENITIES

(a) The employer shall provide adequate quantities of cool potable water which shall at all times be in reasonably accessible place.

(b) At all work areas where ten or more persons are employed in proximity, a shelter shed shall be provided in which employees may change their clothes and store personal belongings during working hours.

Each shelter shed shall be not less than 1sq. metre of floor space for each person using it and shall be lined, adequately lit and ventilated and

shall have an appropriate washable floor and fly strips on the doorway. It shall also contain a non-absorbent washable top table or tables with seating accommodation at a bench not less than 400 mm wide and 450 mm long for each employee. The employer shall ensure that no materials or tools are stored in such place and shall be responsible for keeping such place in a clean and hygienic condition. Such shelter shed shall contain a notice board or a place where Union notices may be displayed. A copy of this Award with all variations from time to time shall be placed in that shelter in a prominent position.

(c) Suitable toilets which shall be weatherproof and soundly constructed shall be provided at each site and an adequate supply of toilet paper with soap and water for washing purposes shall be supplied where other suitable toilets are not available.

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INDUSTRY (WA) AWARD 1988 [A457]

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24 - Amenities - contd

(d) Nothing in this clause shall absolve any employer from the requirements of relevant legislation in the State in which the work is being performed.

(e) Each depot shall be equipped with adequate showers and personal lockers for employees, which shall be kept secure and clean by the employer.

Facilities shall be provided for depot employees to warm food and keep items under refrigeration.

Mess rooms for depot employees shall be provided with adequate seating and tables, such rooms to be kept clean and hygienic by the employer.

25 - CLOTHING AND SPECTACLES

(a) The employer shall be responsible up to a maximum of \$661.00 for an employee's clothing and personal effects which may be stolen or lost or destroyed by cyclone or fire in changing houses or other shelter, provided that such destruction or loss is not in any way caused by an employee's own act or neglect.

(b) Where safety glasses are to be worn at the direction of the employer such glasses are to be provided free of charge to each employee and where it is necessary for optically prescribed glasses to be hardened the cost of such hardening shall be met by the employer.

(c) Where an employee during the course of his employment suffers loss or damage to his spectacles by cause for which he is not solely responsible he shall be compensated by the employer to the extent of the loss or damage sustained. This subclause shall not apply when an employee is entitled to workers' compensation in respect of the damage.

26 - PROTECTIVE AND WORK CLOTHING

(a) The employer shall provide free of charge all protective clothing, eye protection and hearing protection as is necessary for the type or work being performed by the employee.

(b) The employer shall provide on the job an adequate supply of detergents and solvents for the removal of excessive dirt, bitumen, emulsions, paint and similar substances from the employee's person.

(c) Employees engaged during daylight hours on road work and/or railway work where traffic is not excluded by the use of continuous barriers or fences, shall be provided with high visibility traffic jackets or jackets with high visibility markings.

Each employee engaged on such work shall be required to wear such a jacket and, except in an emergency situation an employee not wearing that jacket shall not be assigned to or permitted by the employer to carry out any work on a roadway or railway carrying traffic.

(d) Protective clothing provided pursuant to this clause shall remain the property of the employer. The loss of such protective clothing due to any cause arising out of neglect or misuse by the employee shall be a charge against the wages of the employee, provided that no charge shall be made in respect of reasonable wear and tear.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

26 - Protective and work clothing - contd

(e) Each weekly engaged employee shall be issued free of charge one pair of safety footwear on commencement which shall be replaced on a fair wear and tear basis. Such safety footwear shall be worn by employees during working hours.

(f) Each weekly engaged employee shall be issued free of charge three sets of working clothes per year. In the first year of service two sets shall be issued after the employee has completed one month's continuous service and after six months further service one additional set shall be issued. In the second and subsequent years of service one set of clothes shall be issued each four months.

If the employee is terminated for reasons other than redundancy within six months of his initial issue he shall refund monies owing to him 50 per cent of the value of clothing of the initial issue.

An issue of clothing shall consist of shirt and trousers or shirt and shorts.

(g) Each weekly engaged employee on engagement shall be issued free of charge one "bluey" jacket. Thereafter he shall be issued an additional jacket after every two years' continuous service.

27 - WET WORK

(a) Where it is necessary to complete work in emergency circumstances or so as not to render work already performed useless during rain an employer may, providing he supplies adequate protection clothing to the employee, require him to continue working to complete such work. For such work an employee shall receive in addition 25 per cent of his ordinary rate. Adequate clothing shall consist of waterproof jacket plus a waterproof head covering. At the conclusion of the aforesaid necessary work or at any other time when it is raining employees shall be permitted to leave work without loss of pay provided that there is no useful work available out of the rain.

(b) All waterproof clothing and headgear supplied pursuant to this clause shall be fumigated before being transferred from one employee to another.

(c) The waterproof clothing and headgear supplied pursuant to this clause shall remain the property of the employer. The loss of such clothing due to any cause arising out of the neglect or misuse by the employee shall be a charge against the wages of the employee, provided that no charge shall be made in respect of reasonable wear and tear.

(d) For the purposes of this clause rain is defined as a situation where an employee's clothing would become saturated if he were exposed to such rain. This definition is not intended to mean that an employee is required to wear waterproof clothing so as to prevent him from leaving work without loss of pay.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

33

28 - TIME AND WAGES RECORD

(a) Each employee shall keep a time and wages record showing the name of each employee and the wage particulars as set out in subclause 7(d) of this Award. In addition start and finish times including lunch breaks shall be recorded and also the age of any trainee engaged.

(b) The time and wages record shall be open for inspection of a duly accredited AWU official during the usual office hours at the employer's office or other mutually convenient place.

(c) The official making such inspection shall be entitled to take a copy of entries in the time and wages record relating to any suspected breach of this Award.

29 - RIGHT OF ENTRY

A duly accredited official of The Australian Workers' Union shall have the right to enter the employer's premises for the purpose of interviewing employees to ensure safety conditions and regulations are adhered to and award provisions are applied correctly but shall not unduly delay the work being performed. Upon arrival on-site he shall notify the employer's on-site

management of his presence.

30 - SHOP STEWARDS

An employee appointed as a Shop Steward shall, upon notification by the Union to the employer, be recognised as the accredited shop steward of The Australian Workers' Union and he shall be allowed all necessary time during working hours to submit to the employer matters affecting the employees he represents and further shall be allowed reasonable time during working hours to attend to job matters affecting the Union. Provided that the foregoing does not relieve the Shop Steward of the obligation imposed upon him by his employer.

31 - DISPUTES SETTLEMENT

Subject to the provisions of the Conciliation and Arbitration Act 1904 as operative from time to time, any dispute or claim shall be dealt with in the undermentioned manner:

(a) The manner shall first be discussed by the employee and his Shop Steward together with his supervisor.

(b) If not settled, the matter shall then be discussed between the job representative and an appropriate officer of the employer.

(c) If not settled, the matter shall be further discussed between the Branch Secretary or other appropriate official of the Union and the appropriate representative of the employer.

(d) If the matter is still not settled, it shall be submitted to the Conciliation and Arbitration Commission.

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34 AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

31 - Disputes settlement - contd

(e) Where the above procedures are being followed work shall continue normally. No party shall be prejudiced as to final settlement by the continuance of work in accordance with this subclause.

(f) This clause shall not apply to any dispute as to a bona fide safety issue.

(g) The aforementioned procedures shall also apply to disputes involving termination or dismissal of employees.

32 - PREFERENCE OF EMPLOYMENT

Preference in employment shall be given to financial members of The Australian Workers' Union (AWU) in respect of all employment under this Award, and, if no such persons are available and competent, then to persons who give

an undertaking, in writing, at the time of gaining employment under this Award that they shall become and remain financial members of the AWU.

Employers shall deduct membership fees at the request of the Union Branch Secretary provided that the appropriate payroll deduction authority has been completed by the employee.

33 - TRADE UNION TRAINING

An employee who is the accredited AWU Shop Steward shall be permitted to attend without loss of pay trade union training authority courses for a maximum of seven days per year. The Union will attempt to reduce any disruption on the employers' operations as a result of trade union training.

34 - SHOP STEWARD MEETINGS

An employee who is the accredited AWU Shop Steward shall be permitted to attend a monthly shop stewards' meeting without loss of pay for a maximum of two hours.

35 - POSTING OF AWARD

The employer shall keep an up-to-date copy of this Award posted in a place where it may readily and conveniently be available to all employees. The employer shall also provide a glass fronted notice board for the posting of union notices.

36 - TRAINEES (ATS)

Scope

(a) This clause shall apply to a trainee employed under the Australian Traineeship System by an employer approved by the State Management Committee.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

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36 - Trainees (ATS) - contd

Objective

(b) The object of this clause is to provide the form and substance of the conditions of employment, including the rates of pay, applicable to persons engaged under The Australian Traineeships System (ATS). The purpose is to enhance the skill levels and future employment prospects for young people.

An objective of the Australian Traineeship System is to provide additional employment and training opportunities for young people. Accordingly, these opportunities shall be provided to the fullest extent possible.

Existing full-time employees shall not be displaced from employment by trainees.

Definitions

(c) For the purpose of this clause:

The "Australian Traineeship System" means a structured system of on-the-job training with an employer and off-the-job training in a Technical and Further Education College or other training provider approved by the State Management Committee.

"Trainee" means an employee engaged under the terms of this Award and in accordance with the provisions of the Australian Traineeship established pursuant to Section 37D of the Industrial and Commercial Training Act 1975 and approved by the State Management Committee.

"Trainee Agreement" is a formal agreement for training approved by the State Management Committee and registered pursuant to Section 37D of the Industrial and Commercial Training Act, 1975.

"State Management Committee" means a committee comprising representatives from the Confederation of Western Australian Industry, the Trades and Labour Council of Western Australia, Technical and Further Education (TAFE) and the relevant Federal and State Government Departments which approve traineeship arrangements by agreement of each of the parties. The State Management Committee may be established pursuant to the provisions of the Industrial and Commercial Training Act, 1975 or any amendment to or substitution of that Act, provided that any committee or body established in lieu of the State Management Committee has the same representative structure and decision making processes as that Committee.

Terms of agreement

(d) This clause shall operate from 1 July 1988 for a period of 24 months.

Cancellation of training agreement

(e) A training agreement may be cancelled by mutual consent.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

36 - Trainees (ATS)(e) - contd

This does not affect the right of the employer to dismiss for misconduct and in such a case wages shall be paid up to the time of dismissal only.

No Training Agreement shall be cancelled without the Agreement of the State Management Committee. In such cases the Union shall be notified by the employer of the application to the State Management Committee to cancel a training agreement.

Hours of attendance

(f) Trainees shall observe the ordinary hours of attendance per week maintained by employees at the work place where the training is being conducted.

Conditions of training

- (g) (i) The employer shall ensure that the trainee is permitted to attend the prescribed off-the-job training course and is provided with the prescribed on-the-job training approved by the appropriate State Management Committee in consultation with the Union.
- (ii) The trainee shall be engaged for a minimum of twelve months as a full-time employee, provided that a trainee shall be subject to a probation of one month.
- (iii) Time spent on off-the-job training shall be allowed without loss of continuity of employment.

Disputes settlement

- (h) (i) Should any dispute arise as to the operation of this clause and the parties are unable to resolve that dispute by amicable negotiation the parties shall refer such dispute to the Commission for -
- (1) conciliation in the first instance and failing that;
- (2) for arbitration.
- (ii) Should any dispute arise as to the operation of a "training" agreement such dispute shall be resolved through the settlement mechanisms presented by the Industrial Training Act 1975.

Form of traineeship agreement

- (i) (i) A Traineeship (ATS) shall be entered into by means of written agreement in a form approved by the State Management Committee and registered in accordance with the provisions of the Industrial and Commercial Training Act, 1975.

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37 - Trainees (ATS)(i) - contd

- (ii) A trainee shall not be engaged on a part-time or casual basis.
- (iii) The traineeship (ATS) is the first year of a two year industry training programme for asphalt and bitumen workers.

- (iv) The training agreement shall be for a period of twelve months.

Duties and responsibilities

- (j) (i) A trainee shall participate in the approved on-the-job training scheme and attend the approved off-the-job training as prescribed in the training scheme.
- (ii) An employer shall release a trainee from work to attend the prescribed off-the-job training course and shall provide the on-the-job training approved by the State Management Committee.
- (iii) The employer shall provide the level of supervision in accordance with the approved training scheme during the traineeship period.
- (iv) The overall traineeship scheme will be monitored by officers of the Department of Employment and Training. An accredited representative of the Union shall have access during ordinary working hours to inspect the relevant training records and work books and subject to the approval of the employer, which shall not be unreasonably withheld, may interview a trainee with respect to his/her progress in the scheme.

Overtime and shift work

(k) Overtime and shift work shall not be worked by trainees except to enable the requirements of the training scheme to be effected. When overtime and shift work are worked the relevant penalties and allowances of the Award based on the trainee wage will apply. No trainee shall work overtime or shift work on their own.

Ratio of trainees

(l) The ratio of trainees is to be negotiated on an annual basis between respondents to the Award and the Union.

37 - LOCATION ALLOWANCE

(a) Subject to the provisions of this clause, in addition to the wages prescribed in clause 7 of this Award, an employee shall be paid the following allowances when employed in the towns described hereunder.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

37 - Location allowance (a) - contd

Town

\$

Agnew		11.60
Argyle	(see subclause (l))	29.00
Balladonia		10.80
Barrow Island	(see subclause (m))	9.50
Boulder		4.60
Broome		18.00
Bullfinch		5.50
Carnarvon		9.20
Cockatoo Island		19.90
Coolgardie		4.60
Cue		11.60
Dampier		15.60
Denham		9.20
Derby		18.80
Esperance		3.70
Eucla		12.70
Exmouth		15.90
Fitzroy Crossing		22.50
Goldsworthy		11.10
Halls Creek		25.30
Kalbarri		3.70
Kalgoorlie		4.60
Kambalda		4.60
Karratha		18.20
Koolan Island		19.90
Koolyanobbing		5.50
Kununurra		29.00
Laverton		11.50
Learmonth		15.90
Leinster		11.50
Leonora		11.50
Madura		11.80
Marble Bar		27.20
Meekatharra		9.90
Mount Magnet		12.20
Mundrabilla		12.30
Newman		11.00
Norseman		9.30
Nullagine		27.10
Onslow		18.90
Pannawonica		14.70
Paraburdoo		14.50
Port Hedland		15.40
Ravensthorpe		6.20
Roebourne		20.90
Sandstone		11.60
Shark Bay		9.20
Shay Gap		11.10
Southern Cross		5.50
Telfer		25.60
Teutonic Bore		11.60



INDUSTRY (WA) AWARD 1988 [A457]

37 - Location allowance (a) - contd

Town	\$
Tom Price	14.50
Whim Creek	18.10
Wickham	17.80
Wiluna	11.80
Wittenoom	24.10
Wyndham	27.60

(b) Except as provided in subclause (c) hereof, an employee who has:

- (i) a dependant shall be paid double the allowance prescribed in subclause (a) hereof
- (ii) a partial dependant shall be paid the allowance prescribed in subclause (a) hereof plus the difference between that rate and the amount such partial dependant is receiving by way of a district or location allowance.

(c) Where an employee is provided with board and lodging by his/her employer, free of charge, such employee shall be paid 66-2/3 per cent of the allowances prescribed in subclause (a) hereof.

(d) Except where an employee is eligible for payment of an additional allowance under subclause (b) hereof but on 31 December 1987 was in receipt of an amount in excess of that under General Order 603 of 1987, that employee shall continue to receive the allowance at the higher rate until 1 July 1988 when the difference between the rate being paid and that due under subclause (b) hereof shall be reduced by 33-1/3%; the difference remaining on 1 January 1989 shall be reduced by 50% from that date and payment in accordance with subclause (b) hereof will be implemented on 1 July 1989.

(e) Subject to subclause (b) hereof junior employees, casual employees, part-time employees, apprentices receiving less than adult rate and employees employed for less than a full week shall receive that proportion of the location allowance as equates with the proportion that their wage for ordinary hours that week is to the adult rate for the work performed.

(f) Where an employee is on annual leave or receives payment in lieu of annual leave he/she shall be paid for the period of such leave the location allowance to which he/she would ordinarily be entitled.

(g) Where an employee is on long service leave or other approved leave with pay (other than annual leave) he/she shall only be paid location allowance for the period of such leave he/she remains in the location in which he/she is employed.

(h) For the purposes of this clause:

(i) "Dependant" shall mean:

(1) a spouse or defacto spouse; or

(2) a child where there is no spouse or defacto spouse;

who does not receive a district or location allowance.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

37 - Location allowance (h) - contd

(ii) "Partial dependant" shall mean a "dependant" as prescribed in paragraph (i) hereof who receives a district or location allowance which is less than the location allowance prescribed in subclause (a) hereof.

(i) Where an employee is employed in a town or location not specified in this clause the allowance payable for the purpose of subclause (a) hereof shall be such amount as may be agreed between Australian Mines and Metals Association, the Confederation of Western Australian Industry and the Trades and Labour Council of Western Australia or, failing such agreement, as may be determined by the Commission. Provided that, pending any such agreement or determination the allowance payable for that purpose shall be an amount equivalent to the district allowance in force under this Award for that town of location on 1 June 1980.

(j) Nothing herein contained shall have the effect of reducing any "district allowance" payable to any employee subject to the provisions of this Award whilst that employee as at 1 June 1980 remains employed by his/her present employer.

(k) The allowance prescribed for Argyle is equated to that at Kununurra as an interim allowance. Liberty is reserved to the parties to apply for a review of the allowance for Argyle in the light of changed circumstances occurring after the date of this order.

(l) The allowance prescribed for Barrow Island shall be half the allowance prescribed by clause 8 of the Hydrocarbons and Gas (Production and Processing Employees) Consolidated Award 1986, which at the date of this Order is \$19.00 per week. Except for the location allowance prescribed under subclause (a) hereof the terms of this clause shall not apply where they are inconsistent with the terms of clause 8 of the Hydrocarbons and Gas (Production and Processing Employees) Consolidated Award 1986.

38 - WORK DONE THROUGH CONTRACTORS

No employer shall enter into any contact for the carrying on of any of the work covered by this Award by means of employees unless the contract contains a clause binding the contractor to pay the rates and observe the conditions herein prescribed in respect of the work contracted for, so long as

this Award remains in operation.

39 - SUPERCESSION

This Award shall supercede all existing awards and agreements, but no right obligation or liability accrued or incurred under such awards and agreements shall be hereby affected.

Provided further that where a "project agreement" has been ratified on a particular work site outside the metropolitan area of Perth and is registered with either the Australian Conciliation and Arbitration Commission or the Western Australian Industrial Relations Commission the terms of this Award shall apply except where inconsistent with such "project agreement", in which case the provisions of that agreement shall prevail.

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN INDUSTRY (WA) AWARD 1988 [A457]

41

40 - SHORTAGE OF MATERIAL, ETC.

Where work is impracticable on any day through shortage of material, which shortage the employer could reasonably have avoided, the employee shall be paid for the time lost in such case.

Provided however, the employer may deduct payment for any day the employee cannot be usefully employed because of any strike or because of any breakdown of machinery or because of any stoppage of work by any cause for which the employer cannot be held responsible. However this clause shall not be invoked in the circumstances defined in clause 27 of this Award.

41 - LEAVE RESERVED

- (a) Termination change and redundancy provisions
- (b) Inclement weather
- (c) Distant work
- (d) Public holidays
- (e) Industry allowance
- (f) Wages and special rates

42 - NO EXTRA CLAIMS

It is a term of this Award (arising from the decision of the Australian Conciliation and Arbitration Commission in the National Wage Case of 12 August 1988 the terms of which are set out in Print H4000) that the Union undertakes, until 1 July 1989, not to pursue any extra claims, award or overaward, except where consistent with the National Wage Case Principles.

BY THE COMMISSION:

COMMISSIONER



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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

SCHEDULE OF RESPONDENTS

- Boral Asphalt WA 104 McDowell Street, Welshpool WA 6106
- Boral Road Surfaces, 5 Christian Court, Bayswater WA 6053
- Boral Stabilex, 104 McDowell Street, Welshpool WA 6106
- Readymix Group WA, 75 Canning Highway, Victoria Park WA 6100
- Road Surfaces, 10A Wood Street, Fremantle WA 6160
- Pioneer Asphalts Pty Ltd, 103 Abernethy Road, Belmont WA 6104
- Hotmix Ltd, 49 Bickley Road, Cannington WA 6107
- Bellmix Asphalt, Ewing Street, Bentley WA 6102



AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

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APPENDIX A

AUGUST 1988 NATIONAL WAGE INCREASE

In lieu of the amounts set out in clause 8 and subclause 23(c) of this Award, the following rates and allowances shall operate from the beginning of the first pay period commencing on or after 1 September, 1988.

Table

(a)	Weekly rate
	\$
Classification	
PART 1 - MANUFACTURE AND PREPARATION	
1 Employees in charge of plant	369.70

2	Employees who operate mixing plant	354.10
3	Loader Drivers:	
	(A) 40kW net engine power and above	348.90
	(B) Below 40kW net engine power	338.10
4	General Hands:	
	(A) With six or more months' experience	327.60
	(B) With less than six months experience	309.30

PART II - APPLYING, LAYING AND FIXING

1	Employees who lead a crew and who are not foremen	369.70
2	Plant Operators including Relief Operators:	
	(A) Paver, Screed, Roller of 3 tonnes and above and Spray Truck Driver	348.90
	(B) Roller and under 3 tonnes, Sprays and Rake Hand	338.10
3	General Hands:	
	(a) With six or more months' experience	327.60
	(b) With less than six months experience	309.30

PART III - SPRAY AND COVER (BORAL)

1 Drivers of Bituminous Products Spraying Vehicle. With a combined weight of vehicle and maximum load of:

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AUSTRALIAN WORKERS' UNION ASPHALT AND BITUMEN
INDUSTRY (WA) AWARD 1988 [A457]

Appx A - contd

	Weekly rate
	\$
Under 15 tonnes	356.00
(B) 15 tonnes and under 31 tonnes	369.60
(C) 31 tonnes and under 37 tonnes	377.80

	(D) 37 tonnes and under 43 tonnes	382.00
	(E) 43 tonnes and under 49 tonnes	386.30
	(F) over 49 tonnes	394.70
2	Drivers of Aggregate Spreader Trucks:	
	(A) Up to and including 10 tonnes carrying capacity	348.90
	(B) Over 10 tonnes carrying capacity	350.90
	Where tip trucks tow trailers with a carrying capacity in excess of 10 tonnes an additional \$7.80 per week will be paid.	
3	Drivers of:	
	(A) Aggregate Loader, Flaherty Spreader, Rubber-tyred Wheeled Tractor with rotary broom or other power operated equipment in use, e.g, Front-end loader and rollers	348.90
4	Bituminous Products Sprayman:	
	(A) Cockerill Spreader Operator Flaherty Spreader Operator	348.90
5	General Hands:	
	(A) With six or more months' experience	327.60
	(b) With less than six months' experience	309.30
8(b)	Industry allowance:	\$ 14.40
8(c)	Confined space:	\$ 0.41
8(c)(ii)(3)	Toxic substances:	\$ 0.41 \$ 0.33
8(c)(iii)	Wet work:	\$ 0.33
8(c)(iv)	Dirty work:	\$ 0.33
23(b)	First aid:	\$ 1.32