

**2010 STATE WAGE ORDER PURSUANT TO SECTION 50A OF THE ACT
WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION**

PARTIES ON THE COMMISSION'S OWN MOTION

CORAM CHIEF COMMISSIONER A R BEECH
ACTING SENIOR COMMISSIONER P E SCOTT
COMMISSIONER S J KENNER
COMMISSIONER J L HARRISON
COMMISSIONER S M MAYMAN

DATE WEDNESDAY, 16 JUNE 2010

FILE NO. APPL 2 OF 2010

CITATION NO. 2010 WAIRC 00347

Result 2010 State Wage order issued

Representation Mr A Lyon, and with him Ms S Haynes, on behalf of the Hon. Minister for
Commerce

Mr J Ridley on behalf of the Chamber of Commerce and Industry of WA (Inc.)

Mr D Ellis on behalf of the Trades and Labor Council of WA

General Order

THE COMMISSION IN COURT SESSION in accordance with section 50A(1) of the *Industrial Relations Act 1979* hereby makes the following General Order to be known as the 2010 State Wage order and thereby orders as follows:

1. THAT the 2010 State Wage order takes effect on 1 July 2010.
2. THAT the General Order which issued in matter No. APPL 1 of 2009 ((2009) 89 WAIG 747) is rescinded with effect on and from the commencement of the first pay period on or after 1 July 2010.
3. THAT the Minimum Weekly Rate of Pay applicable under section 12 of the *Minimum Conditions of Employment Act 1993* to an employee who has reached 21 years of age and who is not an apprentice shall be \$587.20 per week on and from the commencement of the first pay period on or after 1 July 2010.

Apprentices

4. THAT the Minimum Weekly Rate of Pay applicable under section 14 of the *Minimum Conditions of Employment Act 1993* to an apprentice whose training contract specifies they are undertaking an apprenticeship (“apprentice”) shall be:
- (a) In relation to that class of apprentice to whom an award or a relevant award applies where an employer-employee agreement is in force, the minimum weekly rate of pay shall be the rate of pay that applies to that class of apprentice under the award where the award applies or the relevant award where an employer-employee agreement is in force.
- (b) In relation to that class of apprentice to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is subsequently entered into, the minimum weekly rate of pay shall be the rate of pay determined by reference to apprentices’ rates of pay in the *Metal Trades (General) Award* which operate on and from the commencement of the first pay period on or after 1 July 2010:

	1 July 2010
<i>Four Year Term</i>	
First year	\$286.02
Second year	\$374.55
Third year	\$510.75
Fourth year	\$599.28
<i>Three and a Half Year Term</i>	
First six months	\$286.02
Next year	\$374.55
Next year	\$510.75
Final year	\$599.28
<i>Three Year Term</i>	
First year	\$374.55
Second year	\$510.75
Third year	\$599.28

5. THAT the Minimum Weekly Rate of Pay applicable under section 14 of the *Minimum Conditions of Employment Act 1993* to an apprentice who has reached 21 years of age shall be \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

Trainees

6. THAT the Minimum Weekly Rate of Pay applicable under section 14 of the *Minimum Conditions of Employment Act 1993* to an apprentice whose training contract specifies they are undertaking a traineeship (“trainee”) shall be:

- (a) In relation to that class of trainee to whom an award applies or a relevant award applies where an employer-employee agreement is in force, the minimum weekly rate of pay shall be the rate of pay that applies to that class of trainee under the award where an award applies or the relevant award where an employer-employee agreement is in force.
- (b) In relation to that class of trainee to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is subsequently entered into, the minimum weekly rate of pay at the relevant Industry/Skill level as determined by reference to Attachment A hereunder, shall be the rate of pay based on the *Metal Trades (General) Award* contained in Table 1 as follows:

Table 1

The following rates of pay apply on and from the commencement of the first pay period on or after 1 July 2010:

Industry/Skill Level A			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	201.00	240.00	296.00
Plus 1 year out of school	240.00	296.00	342.00
Plus 2 years	296.00	342.00	400.00
Plus 3 years	342.00	400.00	458.00
Plus 4 years	400.00	458.00	
Plus 5 years or more	458.00		
Industry/Skill Level B			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	201.00	240.00	287.00
Plus 1 year out of school	240.00	287.00	327.00
Plus 2 years	287.00	327.00	385.00
Plus 3 years	327.00	385.00	440.00
Plus 4 years	385.00	440.00	
Plus 5 years or more	440.00		
Industry/Skill Level C			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	201.00	240.00	279.00
Plus 1 year out of school	240.00	279.00	313.00
Plus 2 years	279.00	313.00	352.00
Plus 3 years	313.00	352.00	395.00

Plus 4 years	352.00	395.00	
Plus 5 years or more	395.00		

- (c) For any class of trainees under this subclause undertaking a traineeship that is not provided for in Attachment A, the minimum weekly rate of pay shall be the rate of pay in Industry/Skill Level C.

Australian Qualification Framework (AQF)

- (d) For a trainee in this class undertaking an AQF4 traineeship the minimum weekly rate of pay shall be the weekly wage rate for an AQF3 trainee at Industry/Skill Levels A, B or C as applicable with the addition of 3.8% of that wage rate.

Part-time and School-Based Trainees

- (e) This provision shall apply to trainees who undertake a traineeship on a part-time basis, or as a school-based trainee, by working less than full-time hours and by undertaking the approved training at the same or lesser training time than a full-time trainee.
- (i) School-based trainees will receive the following minimum hourly rates of pay, as for school leavers:

	Current year of schooling	
	Year 11	Year 12
Wage levels A, B and C	\$5.29	\$6.32

- (ii) The minimum hourly rate of pay for part-time trainees shall be calculated by taking the full-time rates expressed in Clause 6(b) Table 1 and dividing that rate by 38 in accordance with section 10 of the *Minimum Conditions of Employment Act 1993* (WA).
- (iii) As per the requirement under 60E(1)(iv) of the *Vocational Education and Training Act 1996* (WA), any time spent by a trainee in performing his or her obligations under the training contract and in being trained and assessed under the contract, whether at the employer's workplace or not, is to be taken for all purposes (including the payment of remuneration) to be time spent working for the employer.

- (f) In relation to that class of trainee to whom an award applies or a relevant award applies where an employer-employee agreement is in force and who has reached 21 years of age, the minimum weekly rate of pay is the rate of pay that applies to that class of trainee determined by reference to the highest weekly wage rate for the skill level relevant to the traineeship under the award or under the relevant award where an employer-employee agreement is in force.
- (g) In relation to that class of trainee to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is entered into and who has reached 21 years of age, the minimum weekly rate of pay shall be that determined by reference to the highest weekly wage rate for the skill level relevant to the traineeship set out below:

On and from the commencement of the first pay period on or after 1 July 2010 -

Industry/Skill Level A	\$458.00 per week
Industry/Skill Level B	\$440.00 per week
Industry/Skill Level C	\$395.00 per week

7. THAT

- (a) The rates of pay applicable to trainees under the following awards be adjusted in accordance with the formula outlined in sub-clause (b).
- (i) AWU National Training Wage (Agriculture) Award 1994;
 - (ii) Food Industry (Food Manufacturing or Processing) Award;
 - (iii) Furniture Trades Industry Award;
 - (iv) Licensed Establishment (Retail and Wholesale) Award 1979;
 - (v) Metal Trades (General) Award;
 - (vi) Motor Vehicles (Service Station, Sales Establishments, Rust Prevention and Paint Protection) Industry Award No. 29 of 1980;
 - (vii) Printing Award;
 - (viii) Sheet Metal Workers' Award No. 10 of 1973;
 - (ix) The Shop and Warehouse (Wholesale and Retail Establishments) State Award 1977;
 - (x) Soft Furnishings Award; and

- (xi) Vehicle Builders' Award 1971.
- (b) Trainee rates be adjusted as follows:
 - (i) Industry/Skill Level A, B and C top rates are increased by 80% of the arbitrated safety net adjustment. Each result is then rounded to the nearest dollar.
 - (ii) All other Industry/Skill Level A, B and C rates are increased by a percentage of the unrounded result of the first step. Each result is then rounded to the nearest dollar.
 - (iii) However, if an existing rate in Industry/Skill Level B or C is the same as an existing rate in Industry/Skill Level A or B, the former is adjusted in line with the latter rate in order to maintain consistency.

Award Rates of Pay

8. THAT weekly rates of pay for adults in each award of the Commission, other than those set out in Schedule 1, be increased by \$17.50 per week on and from the commencement of the first pay period on or after 1 July 2010 and that this increase shall be subject to absorption in the same terms as previous State Wage decisions.
9. THAT any increase to wages resulting from this State Wage order on and from the commencement of the first pay period on or after 1 July 2010, unless provided for elsewhere, shall be calculated on the basis that:
 - (a) Where the award prescribes an adult fortnightly rate of pay, the fortnightly rate of pay is increased by \$35.00 per fortnight.
 - (b) Where the award prescribes an adult annual rate of pay, the annual rate of pay is increased by \$913.00 per annum.
 - (c) Where the award prescribes an adult hourly rate of pay, the hourly rate of pay is increased by the amount of \$17.50 per week divided by the number of ordinary hours of work prescribed by the relevant award for a full-time employee. Where applicable, casual loadings are to be calculated based on the hourly rate.
10. THAT where an award rate other than an adult rate is determined by reference to a percentage of the adult rate or some other formula, those award rates shall be varied on the basis of that percentage or formula to take into account the application of this State Wage order increase of \$17.50 per week to the adult award wage on and from the commencement of the first pay period on or after 1 July 2010.
11. THAT increases under previous State Wage Case decisions prior to 1 July 2010, except those resulting from enterprise agreements, are not to be used to offset this State Wage order increase of \$17.50 per week.

12. THAT on and from 1 July 2010 all awards which contain a Minimum Adult Award Wage Clause or provision be varied by:
- (a) deleting the amount of "\$569.70" wherever it appears and inserting in lieu the amount of "\$587.20".
 - (b) Deleting the words "\$497.60 per week on and from the commencement of the first pay period on or after 1 October 2009" in the Adult Apprentices section and inserting in lieu the words "\$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010".
 - (c) Deleting the dates "1 July 2009" or "1 October 2009" wherever they appear and inserting in lieu the date "1 July 2010".
 - (d) Deleting the words "2009 State Wage order decision" wherever they appear and inserting in lieu the words "2010 State Wage order decision".

Statement of Principles

13. THAT the Statement of Principles – July 2009 under the General Order in matter No. Appl 1 of 2009 be replaced by the Statement of Principles – July 2010 in Schedule 2.

Publication

14. THAT the Registrar publish in the Western Australian Industrial Gazette and on the Commission's website the clauses of the awards varied by Clauses 8-10 of this State Wage order incorporating the amendments made.



(Sgd) A.R. BENCH

COMMISSION IN COURT SESSION

ATTACHMENT A

INDUSTRY / SKILL LEVEL A (as at May 2010)

TRAINEESHIP TITLE	CERTIFICATE LEVEL
<i>Aeroskills Industry (MEA)</i>	
Aeroskills (Aircraft Mechanical)	II
Aeroskills Engineer - Avionics	Diploma
Aeroskills Engineer – Mechanical	Diploma
<i>Aviation (AVI)</i>	
Aviation Flight Operations	II & III
Aviation Ground Operations & Service	II & III
<i>Beauty (WRB)</i>	
Beauty Services	III
Beauty Therapy	IV
<i>Business Services (BSB)</i>	
Business Administration	III & IV
Business	II & III & IV
Customer Contact	III & IV
Legal Administration	III & IV
Recordkeeping	III & IV
Marketing	IV
Human Resources	IV
Medical Administration	III
Union Recruitment and Organising	IV
<i>Civil Construction (RII)</i>	
Bituminous Surfacing	II & III
Civil and Structural Engineering Draftsperson	Diploma
Civil Construction	II & III
Civil Construction Manager	Diploma
Civil Construction Senior Designer	Advanced Diploma
Civil Construction Senior Manager	Advanced Diploma
Civil Construction Supervisor	IV
Civil Construction Designer	IV & Diploma
Civil Foundations	III
Plant Operations	III
Pipelaying	III
Road Marking	III
Road Construction and Maintenance	III
Bridge Construction & Maintenance	III
Trenchless Technology	III
Tunnel Construction	III
<i>Community Services (CHC)</i>	
Career Development Officer	III & IV
Community Care Work	III
Community Services (Aged Care Work)	III & IV
Community Services (Children's Services)	III
Community Services (Youth Work)	III
Community Services Contact Work	II
Community Services Support Work	II
Community Services Work	II & III & IV
Disability Work	III & IV
Aboriginal & Islander Education Worker	III & IV
Aboriginal Child Care Work	III
Child Care Worker	Diploma
Before & After School Care Supervisor	Diploma
Bi-Lingual/Bi-Cultural Community Services Work	II & III

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Christian Ministry Work	III & IV & Diploma
Out of School Hours Care Work	IV
Social Housing Work	III & IV
Protective Care Worker	IV
Youth Work	IV
<i>Construction Plumbing and Services (CPC)</i>	
Building Maintenance	II
Concreting	III
Dogging	III
Drainage	II
General Construction	II
General Construction (Demolition)	III
Estimating (Housing)	IV
Site Management	IV
Scaffolding	III
Rigging	III
Steel fixing	III
Residential Drafting	IV
<i>Correctional Services (CSC)</i>	
Correctional Practice (Custodial)	III & IV
Correctional Practice	III & IV
<i>Financial Services (FNS)</i>	
Financial Services	III & IV
Financial Services (Accounts Clerical)	III
Financial Services (Financial Practice Support)	IV
Financial Services (Accounting)	IV
Financial Services (Superannuation)	IV
Financial Services Bookkeeping	IV
Insurance Services	III & IV
<i>Drilling(RII)</i>	
Drillers Operations	II & IV
Driller	III
Drilling (Mining Exploration)	II, III & IV
<i>Electricity Supply – Generation (UEP)</i>	
ESI Generation (Electrical/Electronic)	IV
ESI Generation (Mechanical)	IV
ESI – Generation Operations Manager	Diploma
Electrical/Electronic Service Technician	Diploma
ESI Generation (Operations)	III & IV
ESI Generation (Systems Operations)	IV
<i>Electricity Supply – Transmission, Distribution, Rail (UET)</i>	
ESI Cable Jointing	III
ESI - Power Systems Manager	Diploma & Adv Diploma
ESI Distribution (Powerline)	III
Lineworker (Transmission)	III
<i>Electrotechnology (UEE)</i>	
Antennae Equipment	II
Appliance Servicing - Refrigerants	II
Business Equipment Servicing	II
Fire Alarms Servicing	II
Hazardous Areas	IV
Refrigeration and Air Conditioning Systems	IV
Remote Area Essential Service	II
Electrotechnology Systems Electrician	IV

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Computer Assembly & Repair	II
Computer Systems	IV
Computer Systems Engineer	Diploma & Adv Diploma
Data and Voice Communications	II & III
Electrical/Electronic Service Technician	Diploma
Electrical Engineer	Diploma & Adv Diploma
Electronic Assembly	II
Electronics	II
Electronics and Communications	IV
Electronics & Communications Engineering	Diploma & Adv Diploma
Industrial Electronics and Control	IV
Renewable Energy	II
Security Assembly and Setup	II
Video and Audio Systems	IV
Winding and Assembly	II
Floristry (WRF)	
Floristry	III & IV
Food Processing (FDF)	
Food Processing	III
Food Processing (Wine)	III
Food Processing (Sales)	III
Pharmaceutical Manufacturing	III
Furnishing (LMF)	
Soft Furnishing	III
Gas Industry (UEG)	
Gas Operations	III & IV
Gas Industry Advanced Technician	Advanced Diploma
Gas Industry Operations	II, III & IV
Gas Industry Technician	Diploma
Gas Operations	III & IV
Information and Communication Technology (ICA)	
Information Technology	II & III
Information Technology (Networking)	IV
Information Technology (Websites)	IV
Information Technology (Multimedia)	IV
Information Technology (Support)	IV
Information Technology (Systems Analysis & Design)	IV
Laboratory Operations (MSL)	
Sampling and Measurement	II
Laboratory Skills	III
Laboratory Techniques	IV
Laboratory Technician	Diploma
Senior Laboratory Technology	Advanced Diploma
Local Government (other than operational works) (LGA)	
Local Government	II & III
Local Government Administration	IV
Local Government Planning	IV
Manufacturing (MEM)	
Aluminium Window and Frames	II
Aluminium Windows and Frames Manufacturing	II
Glass Processor	II
Manufacturing Equipment Operation	III
Manufacturing Team Leader	IV
Metal and Engineering (MEM)	

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Engineering Assistant	Advanced Diploma
Engineering Production	II
Engineering Technician	III
Draftsperson	Diploma
Production Systems (Surface Finishing)	III
Engineering (Advanced Trade)	Diploma
Engineering – Higher Engineering Trade	IV
Metallurgical Technician	Diploma & Adv Diploma
Production Systems (Foundry)	III
Production Systems (General Engineering)	III
Production Systems (Surface Finishing)	III
Metalliferous Mining (RII)	
Underground Metalliferous Mining	II & III & IV
Underground Metalliferous Mining Manager	Diploma
Museum and Library/Information Services (CUL)	
Library and Information Services	II & III & IV
Museum Practice	II & III
Plastics, Rubber and Cablemaking (PMB)	
Plastics	III
Process Manufacturing	III
Polymer Technology	IV
Plastics – Film	III
Plastics – Blow Moulding	III
Plastics – Extrusion	III
Plastics – Fabrication	III
Plastics – Injection Moulding	III
Plastics – Thermoforming	III
Plastics – Rotational Moulding	III
Plastics – Polystyrene	III
Rubber	III
Process Manufacturing (Rubber - Injection Moulding)	III
Rubber - Belt Splicing	III
Rubber – Rubber Lining	III
Process Manufactured Mineral Products	III & IV
Process Plant Operations	III
Process Plant Technology	IV
Process Support	III
Manufacturing Equipment Operation	III
Manufacturing Team Leader	IV
Process Plant Advanced Technician	Diploma
Public Safety (PUA)	
Firefighting Operations	III
Policing	Diploma
Public Sector (PSP)	
Government	II & III & IV
Government – Fraud Controller	IV
Government – Investigator	IV
Property Services (PRM)	
Property Management	IV
Spatial Services Technician	Diploma
Surveyor	Diploma
Retail (including Wholesale and Community Pharmacy) (SIR)	
Retail	III
Retail Management	IV

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Community Pharmacy	III
Wholesale	III
<i>Telecommunications (ICT)</i>	
Telecommunications	II & III
Telecommunications Cabling	II
Telecommunications (Access Network)	II
Telecommunications (Cabling & Customer Premises Equipment)	III
Telecommunications Engineering	IV
Customer Contact	III & IV
Data and Voice Communications	II & III
Telecommunications Engineering	IV
<i>Textile Clothing and Footwear (LMT)</i>	
Textile Fabrication	III
Textile Production	III
Laundry Operations	III
Clothing Production	III & IV
Dry Cleaning Operations	III
Early Stage Wool Processing	III
Leather Production	III
Footwear Repair	III
<i>Tourism, Hospitality and Events (THC: SIT: CUE)</i>	
Events Technical	III
Hospitality (Accommodation Services)	III
Hospitality (Food and Beverage)	III
Hospitality – (Asian Cookery)	II
Hospitality – (Catering Operations)	II
Hospitality – (Commercial Cookery)	II
Hospitality – (Patisserie)	II
Hospitality – (Operations)	II & III
Hospitality Gaming	III
Hospitality - Supervision	IV
International Retail Travel Sales	III
Tourism (Attractions and Theme Parks)	II
Tourism (Guiding)	II & III & IV
Tourism (Sales/Office Operations)	II
Tourism (Visitor Information Services)	III
Venues & Events (Customer Service)	III
Costume for Performance	IV
Live Production Theatre & Events	II
Entertainment (Front of House)	II
Live Production Theatre & Events (Technical Operations) Lighting	III & IV
Live Production Theatre & Events (Technical Operations) Vision Systems	III & IV
Live Production Theatre & Events (Technical Operations) Audio	III & IV
<i>Transport and Distribution (TLI)</i>	
Integrated Rating	III
Logistics Operations	III
Cash in Transit	III
Transport and Distribution (Marine Engine Driving)	III
Transport and Distribution (Maritime Operations)	III
Mobile Cranes	III
Rail Infrastructure	III
Rail Operations	III & IV
Road Transport	III & IV
Stevedoring	III

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Warehousing & Storage	III & IV
<i>Water Industry(NWP)</i>	
Water Operations	III & IV

INDUSTRY / SKILL LEVEL B (as at May 2010)

TRAINEESHIP TITLE	CERTIFICATE LEVEL
<i>Animal Care & Management (RUV)</i>	
Veterinary Nursing	IV
Animal Studies	II
Animal Technology	III
Captive Animals	III
Companion Animal Services	III & IV
Animal Control and Regulation	IV
<i>Asset Maintenance (PRM)</i>	
Asset Maintenance (Cleaning Operations)	II & III
Asset Maintenance (Waste Management)	II & III
Asset Maintenance (Fire Protection Equipment)	II & III
Pest Management Technician	III
<i>Australian Meat Industry (MTM)</i>	
Meat Processing (Abattoirs)	II
Meat Processing (Boning)	III
Meat Processing (Food Services)	II & III
Meat Processing (General)	III
Meat Processing (Rendering)	III
Meat Processing (Smallgoods) Manufacture	III
Meat Processing (Smallgoods) General	II & III
Meat Processing (Slaughtering)	III
Meat Processing (Leadership)	IV
Meat Processing (Quality Assurance)	IV
<i>Automotive Industry Manufacturing (THC)</i>	
Recreational Vehicle Production Assistant	II
Recreational Vehicle Production Team Leader	III
<i>Automotive Industry/Retail Service and Repair (AUR)</i>	
Automotive (Administration)	II & III
Automotive Administration (Rental Vehicles)	III
Automotive Electrical Technology	II
Automotive Management	IV & V
Automotive (Mechanical)	II
Automotive (Sales)	II & III
Automotive (Vehicle Body)	II
Automotive Aftermarket Warehousing Distribution Operations	II & III
Bicycles	II
Marine	II
Outdoor Power Equipment	II
Vehicle Servicing	II
Automotive Retail Service and Repair (Tyre Fitting)	III
Mechanical Driveline	II
Mechanical Engine Overhaul	II
Mechanical Hydraulics	II
Mechanical Machine Assembly	II
Mechanical Transmissions	II
<i>Beauty (WRB)</i>	
Make-Up Services	II
Nail Technology	II
Retail Cosmetic Services	II
<i>Caravan Industry (THC)</i>	
Caravan Park Operations	II & III
<i>Civil Construction (RII)</i>	

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Civil Construction for entry level Indigenous Workers	I
Community Recreation Industry (SRC)	
Community Recreation	II & III
Extractive Industries(RII)	
Extractive Industries Senior Manager	Advanced Diploma
Field/Exploration Operations	II
Minerals Processing	Diploma
Resource Processing	II & III & IV
Surface Extraction Operations	II & III & IV
Surface Operations Manager	Diploma
Fitness Industry (SRF)	
Fitness	III & IV
Floristry (WRF)	
Floristry	II
Food Processing Industry (FDF)	
Food Processing	II
Food Processing (Sales)	II
Food Processing (Wine)	II
Forest and Forest Products Industry (FPI)	
Forest Growing and Management	II & III
Harvesting & Haulage	II & III
Sawmilling and Processing	II & III
Timber Manufactured Products	II & III
Timber Merchandising	II & III
Wood Panel Products	II & III
Production Technician (Timber)	IV
Forester (Operations)	IV
Furnishing (LMF)	
Furnishing (Flooring)	II
Furnishing (Polishing)	II
Furnishing (Upholstery)	II
Furniture Making	II
Glass and Glazing	II
Interior Design – Retail Services	III
Picture Framing	III
Soft Furnishing	II & III
Gas Industry (UEG)	
Gas Industry Advanced Technician	Adv Diploma
Gas Industry Technician	Diploma
Gas Industry Operations	II & III & IV
Health (HLT)	
Aboriginal Environmental Health	II & III
Allied Health Assistance	III & IV
Client/Patient Support Services	III
Dental Assisting	III & IV
Health Service Assistant	III
Health Support Services	II & III
Optical Dispensing	IV
Sterilization Services	III
Local Government (Operational Works) (LGA)	
Local Government (Operational Works)	Diploma
Metal and Engineering (MEM)	
Engineering – Production	II

TRAINEESHIP TITLE	CERTIFICATE LEVEL
Aluminium Windows and Frames Manufacturing	II
Winding & Assembly	II
Outdoor Recreation (SRO)	
Outdoor Recreation	III & IV
Community Recreation	II & III
Sport and Recreation	II & III & IV
Plastics, Rubber and Cablemaking (PMB: PMC)	
Process Manufacturing	II
Process Manufacturing (Cablemaking)	II
Plastics	II
Plastics – Film	II
Plastics – Blow Moulding	II
Plastics – Composites	II
Plastics – Extrusion	II
Plastics – Fabrication	II
Plastics – Injection Moulding	II
Plastics – Thermoforming	II
Plastics – Rotational Moulding	II
Plastics – Polystyrene	II
Rubber	II
Rubber – Rubber Lining	II
Process Manufacturing (Rubber – Injection Moulding)	II
Rubber - Belt Splicing	II
Process Manufactured Mineral Products	II
Process Plant Operations	II
Process Support	II
Printing and Graphic Arts (ICP)	
Desktop Publishing	II
Graphic Arts Services	II
Print Production Support	II
Printing and Graphic Arts (Instant Print)	II
Printing and Graphic Arts (Multimedia)	III
Screen Printing	II
Property Services (CPP)	
Property Management	IV
Property Services (operations)	III
Technical Security	II & III
Security Operations	III
Hazardous Areas	IV
Spatial Services Technician	V
Surveying	IV & V
Retail (SIR) (including wholesale and Community Pharmacy)	
Retail	II
Community Pharmacy	II
Salon Assistant	II
Warehouse	II
Screen and Media (CUF)	
Broadcasting (Radio)	II & III & IV
Broadcasting (Remote Area Operations)	III
Broadcasting (Television)	III & IV
Screen	II & III & IV
Multimedia	II & III & IV
Sport Industry (SRS)	
Sport (Career Orientated Participation)	II & III

TRAINEESHIP TITLE	CERTIFICATE LEVEL
<i>Textile, Clothing and Footwear (LMT)</i>	
Clothing Production	III & IV
Dry Cleaning Operations	II & III
Footwear Repair	II & III
Laundry Operations	II & III
Leather Production	III
Textile Fabrication	III
Textile Production (Complex or Multiple Processes)	II
Textile Production	III
<i>Transport and Logistics (TLI)</i>	
Transport and Distribution (Aviation Flight Operations)	II
Aviation Ground Operations and Service	II
Transport and Distribution (Marine Engine Driving)	II
Transport and Distribution (Maritime Operations)	II
Transport & Distribution (Maritime Operations – Coxswain)	II
Rail Infrastructure	II
Rail Operations	II
Road Transport	II
Stevedoring	II
Logistics Operations	II
Warehousing & Storage	II
<i>Water Industry(NWP)</i>	
Water Operations	II

INDUSTRY / SKILL LEVEL C (as at May 2010)

TRAINEESHIP TITLE	CERTIFICATE LEVEL
<i>Amenity Horticulture (RTF)</i>	
Horticulture	II & III & IV
Horticulture (Arboriculture)	II & III & IV
Horticulture (Floriculture)	II & III & IV
Horticulture (Landscape)	II & IV
Horticulture (Retail Nursery)	II & IV
Horticulture (Wholesale Nursery)	II & IV
Horticulture (Parks and Gardens)	II & IV
Horticulture (Turf)	II & IV
<i>Conservation and Land Management (RTD)</i>	
Conservation and Land Management	II & III & IV
<i>Funeral Services (SIF)</i>	
Funeral Services (Embalmer)	IV
<i>Music (CUS)</i>	
Music	III & IV
Music Industry (Foundation)	II
Music Industry (Technical Production)	III & IV
Music Industry (Business)	III
<i>Racing Industry (RGR)</i>	
Racing - Stablehand	II
Racing - Advanced Stablehand	III
Racing - Trackrider	III
Racing - Jockey	IV
Racing (Harness Driver)	III
<i>Rural Production (RTE)</i>	
Agriculture	II & III & IV
Agriculture (Beef Cattle Production)	III & IV
Agriculture (Dairy)	III
Agriculture (Goat Production)	III
Agriculture (Grain Production)	III
Agriculture (Horse Breeding)	III
Horticulture (Production)	II & III & IV
Agriculture (Pig Production)	III
Agriculture (Sheep and Wool)	III
Agriculture (Rural Merchandising)	III
Advanced Wool Handler	III
Irrigation	II & III & IV
Rural Operations	II & III
Shearing	II & III & IV
Wool Handling	II
Wool Clip Preparation	III
Wool Classing	IV
<i>Seafood Industry (SIF)</i>	
Seafood Processing	II & III
Seafood Sales and Distribution	II & III
Seafood (Aquaculture)	II & III & IV
Seafood (Fishing Operations)	II & III
Seafood (Fisheries Compliance)	III

Schedule 1

LIST OF AWARDS NOT SUBJECT TO THIS GENERAL ORDER**Awards that do not contain wages and are therefore excluded:**

Alcoa Long Service Leave Conditions Award, 1980
 Catering Employees' (North West Shelf Project) Long Service Leave Conditions Award 1991
 Catering Workers' (North Rankin A) Long Service Leave Conditions Award No. A 40 of 1987
 The Contract Cleaning (F.M.W.U.) Superannuation Award 1988
 Health Care Industry (Private) Superannuation Award 1987
 Hospital Salaried Officers (Joondalup Health Campus) Award, 1996
 Iron and Steel Industry Workers' (Australian Iron and Steel Pty. Ltd.) Production Bonus Scheme Award
 Miscellaneous Government Conditions and Allowances Award No A 4 of 1992
 Miscellaneous Workers' (Security Industry) Superannuation Award, 1987
 Ngala Superannuation Award
 Printing Industry Superannuation Award 1991
 Public Service Allowances (Fisheries and Wildlife Officers) Award 1990
 Supported Employees Industry Award
 The Swan Brewery Company Limited (Superannuation) Award 1987
 West Australian Petroleum Pty Ltd Long Service Leave conditions Award 1991
 Woodside Offshore Petroleum Pty. Ltd. Long Service Leave Conditions Award, 1984
 Worsley Alumina Pty. Ltd. Long Service Leave Conditions Award, 1984

Awards that have certain parts quarantined:

Clerks' (Racing Industry - Betting) Award 1978 – **Schedule C**
 Iron Ore Production & Processing (Locomotive Drivers) Award 2006 - The – **Clause 2.1**
 Iron Ore Production & Processing (Locomotive Drivers Rio Tinto Railway) Award 2006 – **Clause 6**
 Shearing Contractors' Award of Western Australia 2003 – **Clause 4.3**

Awards containing transitional provisions to which the General Order does not apply:

Clothing Trades Award 1973 – **Clause 18**
 Department for Community Development (Family Resource Workers, Welfare Assistants and Parent Helpers) Award 1990 – **Schedule F**
 Education Department Ministerial Officers Salaries Allowances and Conditions Award 1983 No. 5 of 1983 – **Schedule I**
 Egg Processing Award 1978 – **Appendix 4**
 Electorate Officers Award 1986 – **Schedule G**
 Family Day Care Co-Ordinators' and Assistants' Award, 1985 - **Schedule C**

Government Officers (Social Trainers) Award 1988 – **Schedule K**
Government Officers (State Government Insurance Commission) Award, 1987 –
Schedule D
Government Officers Salaries, Allowances and Conditions Award 1989 - **Schedule P**
Juvenile Custodial Officers' Award – **Schedule G**
Public Service Award 1992 – **Schedule M**

Schedule 2

STATEMENT OF PRINCIPLES – July 2010**1. Application of the Statement of Principles**

- 1.1 This Statement of Principles is to be applied and followed when the Commission is making or varying an award or making an order in relation to the exercise of the jurisdiction under the Act to set the wages, salaries, allowances or other remuneration of employees or the prices to be paid in respect of their employment.
- 1.2 In these Principles, wages, salaries, allowances or other remuneration of employees or the prices to be paid in respect of employment will be referred to as “wages”.
- 1.3 In making a decision in respect of any application brought under these Principles the primary consideration in all cases will be the merits of the application in accordance with equity, good conscience and the substantial merits of the case pursuant to section 26(1)(a) of the Act.
- 1.4 These Principles do not have application to Enterprise Orders made under section 42I of the Act or to applications made under section 40A of the Act to incorporate industrial agreement provisions into an award by consent.

2. (deleted)**3. When an Award may be varied or another Award made without the claim being regarded as above or below Minimum Award Conditions**

- 3.1 In the following circumstances wages in an award, may on application, be varied or another award made without the application being regarded as a claim for wages above or below the minimum award conditions:
 - 3.1.1 To include previous State Wage Case increases in accordance with Principle 4.
 - 3.1.2 To incorporate test case standards in accordance with Principle 5.
 - 3.1.3 To adjust allowances and service increments in accordance with Principle 6.
 - 3.1.4 To adjust wages pursuant to work value changes in accordance with Principle 7.
 - 3.1.5 To adjust wages for total minimum adjustments in accordance with Principle 8.
 - 3.1.6 To vary an award to include the minimum wage in accordance with Principle 9.

4. Previous State Wage Case Increases

- 4.1 Wage increases available under previous State Wage Case Decisions such as structural efficiency adjustments, and previous arbitrated safety net adjustments will, on application, still be accessible.
- 4.2 Minimum rates adjustments may also be progressed under this Principle.

5. Test Case Standards

- 5.1 Test Case Standards in respect of wages established and/or revised by the Commission may be incorporated in an award. Where disagreement exists as to whether a claim involves a test case standard, those asserting that it does, must make an application and justify its referral. The Chief Commissioner will decide whether the claim should be dealt with by a Commission in Court Session.

6. Adjustment of Allowances and Service Increments

- 6.1 Existing allowances which constitute a reimbursement of expenses incurred may be adjusted from time to time where appropriate to reflect the relevant change in the level of such expenses.
- 6.2 Adjustment of existing allowances which relate to work or conditions which have not changed and of service increments will be determined in each case in accordance with State Wage Case Decisions.
- 6.3 Allowances which relate to work or conditions which have not changed and service increments may be adjusted as a result of the State Wage order in Principle 8.
- 6.4 In circumstances where the Commission has determined that it is appropriate to adjust existing allowances relating to work or conditions which have not changed and service increments for a monetary safety net increase, the method of adjustment shall be that such allowances and service increments should be increased by a percentage derived as follows: divide the monetary safety net increase by the rate of pay for the key classification in the relevant award immediately prior to the application of the safety net increase to the award rate and multiply by 100.
- 6.5 Existing allowances for which an increase is claimed because of changes in the work or conditions will be determined in accordance with the relevant provisions of Principle 7.
- 6.6 New allowances to compensate for the reimbursement of expenses incurred may be awarded where appropriate having regard to such expenses.
- 6.7 Where changes in the work have occurred or new work and conditions have arisen, the question of a new allowance, if any, shall be determined in accordance with the relevant Principles of this Statement of Principles. The relevant Principles in this context may be Principle 7 and Principle 11.

- 6.8 New service increments may only be awarded to compensate for changes in the work and/or conditions and will be determined in accordance with the relevant parts of Principle 7 of this Statement of Principles.

7. **Work Value Changes**

- 7.1 Applications may be made for a wage increase under this Principle based on changes in work value.
- 7.2 Changes in work value may arise from changes in the nature of the work, skill and responsibility required or the conditions under which work is performed. Changes in work by themselves may not lead to a change in wage rates. The strict test for an alteration in wage rates is that the change in the nature of the work should constitute such a significant net addition to work requirements as to warrant the creation of a new classification or upgrading to a higher classification.
- 7.3 In addition to meeting this test a party making a work value application will need to justify any change to wage relativities that might result not only within the relevant internal award classifications structure but also against external classifications to which that structure is related. There must be no likelihood of wage “leapfrogging” arising out of changes in relative position.
- 7.4 These are the only circumstances in which rates may be altered on the ground of work value and the altered rates may be applied only to employees whose work has changed in accordance with this provision.
- 7.5 In applying the Work Value Changes Principle, the Commission will have regard to the need for any alterations to wage relativities between awards to be based on skill, responsibility and the conditions under which work is performed.
- 7.6 Where new or changed work justifying a higher rate is performed only from time to time by persons covered by a particular classification or where it is performed only by some of the persons covered by the classification, such new or changed work should be compensated by a special allowance which is payable only when the new or changed work is performed by a particular employee and not by increasing the rate for the classification as a whole.
- 7.7 The time from which work value changes in an award should be measured is any date that on the evidence before the Commission is relevant and appropriate in the circumstances.
- 7.8 Care should be exercised to ensure that changes which were or should have been taken into account in any previous work value adjustments or in a structural efficiency exercise are not included in any work evaluation under this provision.
- 7.9 Where the tests specified in 7.2 and 7.3 are met, an assessment will have to be made as to how that alteration should be measured in money terms. Such assessment should normally be based on the previous work and the nature and extent of the change in work.
- 7.10 The expression “the conditions under which the work is performed” relates to the environment in which the work is done.

- 7.11 The Commission should guard against contrived classifications and over-classification of jobs.
- 7.12 Any changes in the nature of the work, skill and responsibility required or the conditions under which the work is performed, taken into account in assessing an increase under any other provision of these Principles, shall not be taken into account in any claim under this provision.

8. Total Minimum Rate Adjustments

- 8.1 Where the minimum rates adjustment process in an award has been completed, the Commission may consider an application for the base rate, supplementary payment and State Wage order adjustments to be combined so that the award specifies only the total minimum rate for each classification.
- 8.2 By consent of all parties to an award, where the minimum rates adjustment has been completed, award rates may be expressed as hourly rates or weekly rates. In the absence of consent, a claim that award rates be so expressed may be determined by arbitration.
- 8.3 The State Wage order arising from this decision is \$17.50 per week.

9. Minimum Adult Award Wage

- 9.1 A minimum adult award wage clause will be required to be inserted in all new awards.
- 9.2 The minimum adult wage clause will be as follows –

MINIMUM ADULT AWARD WAGE

No employee aged 21 or more shall be paid less than the minimum adult award wage unless otherwise provided by this clause.

The minimum adult award wage for full-time employees aged 21 or more is \$587.20 per week payable on and from the first pay period on or after 1 July 2010.

The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.

Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

Employees under the age of 21 shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government

Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate, provided that no employee shall be paid less than any applicable minimum rate of pay prescribed by the *Minimum Conditions of Employment Act 1993*.

Liberty to apply is reserved in relation to any special category of employees not included here or otherwise in relation to the application of the minimum adult award wage.

Subject to this clause the minimum adult award wage shall –

Apply to all work in ordinary hours.

Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2010 State Wage order decision. Any increase arising from the insertion of the minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the minimum wage.

Adult Apprentices

Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than \$510.75 per week on and from the commencement of the first pay period on or after 1 July 2010.

The rate paid in the paragraph above to an apprentice 21 years of age or more is payable on superannuation and during any period of paid leave prescribed by this award.

Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

Nothing in this clause shall operate to reduce the rate of pay fixed by the award for an adult apprentice in force immediately prior to 5 June 2003.

10. Making or Varying an Award or issuing an Order which has the effect of varying wages or conditions above or below the award minimum conditions

- 10.1 An application or reference for a variation in wages which is not made by an applicant under any other Principle and which is a matter or concerns a matter to vary wages above or below the award minimum conditions may be made under this Principle. This may include but is not limited to matters such as equal remuneration for men and women for work of equal or comparable value.
- 10.2 Claims may be brought under this Principle irrespective of whether a claim could have been brought under any other Principle.
- 10.3 All claims made under this Principle will be referred to the Chief Commissioner for him to determine whether the matter should be dealt with by a Commission in Court Session or by a single Commissioner.

11. New Awards (including interim Awards) and Extensions to an Existing Award

- 11.1 The following shall apply to the making of wages in a new award (including an interim award) and an extension to an existing award:
- 11.1.1 In the making of wages in an interim award the Commission shall apply the matters set out in section 36A of the Act.
- 11.1.2 A new award (including an interim award) shall have a clause providing for the minimum award wage [see Principle 9] included in its terms.
- 11.1.3 In the extension of wages in an existing award to new work or to award-free work the wages applicable to such work shall ensure that any award or order made:
- (1) meets the need to facilitate the efficient organisation and performance of work according to the needs of an industry and or enterprises within it, balanced with fairness to the employees in the industry or enterprises; and
 - (2) sets fair wages.

12. Economic Incapacity

- 12.1 Any respondent or group of respondents to an award may apply to reduce and/or postpone the variation which results in an increase in labour costs under this Statement of Principles on the ground of very serious or extreme economic adversity. The merit of such application shall be determined in the light of the particular circumstances of each case and any material relating thereto shall be rigorously tested. The impact on employment at the enterprise level of the increase in labour costs is a significant factor to be taken into account in assessing the merit of an application. It will then be a matter for the Chief Commissioner to decide whether it should be dealt with by a Commission in Court Session.

13. Duration

- 13.1 This Statement of Principles will operate until reviewed under s.50A(1)(d) of the Act.