TASMANIA

INDUSTRIAL RELATIONS ACT 1984

In The Tasmanian Industrial Commission

MATTER NO. T13038 OF 2007

TECHNICAL EMPLOYEES AWARD

No. 1 of 2008
(Consolidated)

As notified in the 'Tasmanian Government Gazette' on 16 January 2008

S135

Printed by Printing Authority of Tasmania

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984
s23 application for award or variation of award

Minister Administering the State Service Act 2000
(T13038 of 2007)

ADMINISTRATIVE AND CLERICAL EMPLOYEES AWARD
TECHNICAL EMPLOYEES AWARD
OPERATIONAL EMPLOYEES AWARD
PROFESSIONAL EMPLOYEES AWARD
COMMUNITY AND HEALTH SERVICES (PUBLIC SECTOR) AWARD

FULL BENCH:
PRESIDENT P L LEARY
DEPUTY PRESIDENT P C SHELLEY
COMMISSIONER T J ABEY

Award variation – award review process - application approved – consent application - operative date ffpp 1 December 2007

ORDER BY CONSENT -

TECHNICAL EMPLOYEES AWARD

No. 1 of 2008
(Consolidated)

AMEND THE **TECHNICAL EMPLOYEES AWARD** BY DELETING ALL CLAUSES CONTAINED THEREIN AND INSERTING IN LIEU THEREOF THE FOLLOWING; AND THE AWARD IS CONSOLIDATED:

1. TITLE

This award is the "Technical Employees Award".

2. SCOPE

This award is to apply to persons employed under the *State Service Act 2000* occupying a technical position and for whom classifications are not included in other awards of the Tasmanian Industrial Commission.

3. INDEX

Subject Matter	Clause No.	Page No.
Title	1	2
Scope	2	2
Index	3	2
Date of Operation	4	2
Award Interest	5	2
Supersession	6	3
Definitions	7	3
Salaries	8	8
Conditions of Employment	9	10
Spread of Hours	10	10
Overtime	11	10
Higher Duties Allowance	12	10
Salary Increments	13	11

4. DATE OF OPERATION

This award will come into operation from the first full pay period commencing on or after 1 December 2007.

5. AWARD INTEREST

(a) The following employee organisations are deemed to have an interest in this award pursuant to Section 63(10) of the *Industrial Relations Act 1984*:

(i) the Australian Education Union, Tasmanian Branch;

(ii) The Community and Public Sector Union (State Public Services Federation Tasmania) Inc;

(iii) the Health Services Union of Australia, Tasmania No. 1 Branch.

(b) The employer deemed to be an employer organisation having an interest in this award pursuant to Section 62(4) of the *Industrial Relations Act 1984*:

the Minister administering the *State Service Act 2000*.

6. SUPERSESSION

This award incorporates and supersedes the Technical Employees Award No. 2 of 2007 (Consolidated).

PROVIDED that no entitlement accrued or obligation incurred is to be affected by the supersession.

7. DEFINITIONS

(a) General Definitions

'Casual employee' means a person engaged to work for a period not exceeding five consecutive days, or on an irregular basis as required by the employer.

'Employee' means a person employed under the provisions of the *State Service Act 2000.*

'Employer' means the Minister administering the *State Service Act 2000.*

'Full-time employee' means a person engaged to work for the full ordinary weekly hours of work of the relevant position.

'Part-time employee' means a person engaged to work on a regular basis for a lesser number of ordinary weekly hours than is applicable to an equivalent full-time employee.

(a) Classification Standards

A position falling within the scope of this award shall be classified in accordance with the following classification standards:

Level 1 Classification Standard:

Technical work requiring learning and application of conventional practices, methods and standards performed under detailed technical direction and close technical supervision.

This is the trainee level. During the learning phase the work given is consistent with the level of theoretical knowledge being gained by the trainee while undertaking appropriate course of study. Initially the work is limited in scope and complexity, but as knowledge and experience is gained the scope and complexity of the work is

expanded. Detailed technical direction is given in all aspects of the work and close technical supervision is exercised over every phase of its execution. Minimum qualifications are:

Eligible for admission to the relevant course of study at a recognised TAFE institution;

OR

Relevant training and/or experience determined in accordance with the provisions of Section 37 of the *State Service Act 2000* appropriate to the nature of the work.

Level 2 Classification Standard:

Technical work requiring application of conventional practices, methods and standards performed under general technical direction and general technical supervision;

and/or

Complex technical work performed under detailed technical direction and close technical supervision.

This is the fully qualified technical practitioner level. The duties include ongoing technical work performed in accordance with conventional practices, methods and standards and comprehends adjustment, adaptation, interpretation or modification of those factors where necessary. Work may include technical application and administration of regulations. Work may be organised on a laboratory, field, office, geographical or functional basis, and may be performed in an individual or team situation.

Work may include or wholly consist of complex technical work.

Technical direction and/or technical supervision may be given to less experienced personnel in this level and/or to trainees. Minimum qualifications are:

An Advanced Diploma from a recognised TAFE institution, or an equivalent qualification, appropriate to the nature of the work;

OR

Relevant training and/or experience determined in accordance with the provisions of Section 37 of the *Tasmanian State Service Act 2000* appropriate to the nature of the work.

Level 3 Classification Standard:

Technical work requiring significant adjustment, adaptation, interpretation or modification of conventional practices, methods and standards performed under limited technical direction and general technical supervisor but not including complex technical work;

and/or

Complex technical work performed under general technical direction and general technical supervision;

and/or

Co-ordination and supervision of conventional technical work performed under limited technical direction and general technical supervision.

Work at this level requires the exercise of considerable technical knowledge, experience and judgement by a senior practitioner who in certain situations may be considered a specialist.

Work may include or wholly consist of complex technical work.

The co-ordination and supervision functions involve technical management of the work of a small number of technical and other staff and which may span more than one discipline or field. Normally, from two to four other technical staff would be supervised.

Level 4 Classification Standard:

Complex technical work which may span more than one discipline or field performed under limited technical direction and limited technical supervision;

and/or

Co-ordination and supervision of the activities of a unit engaged in conventional and specialist technical work performed under limited technical direction and limited technical supervision.

Complex technical work requires the exercise of significant technical knowledge, experience and judgement by a senior practitioner who in certain situations may be considered a specialist. The work may cover one or more discipline or field. The supervisor/project leader work involves the technical management of the work of a number of technical and other staff. Normally at least five other technical staff would be supervised for this level to apply.

Level 5 Classification Standard:

The technical management of a significant technical work unit engaged in complex activities under general supervision.

The technical management function includes using technical knowledge, expertise and experience to determine technical objectives and priorities, and to conduct technical support activities within the agency's operating programs.

It includes interpreting relevant policy, setting standards, evaluating performance, and may involve resolving complex technical problems.

Technical direction and technical supervision is not given but general guidance on agency objectives is provided. Normally a position at this level reports to a senior manager or co-ordinator.

Level 6 Classification Standard:

The technical management and co-ordination of two or more significant work units engaged in complex activities involving two or more technical disciplines or fields.

A position only would be established at this level when the policies, strategies, technical complexities, and interrelationships are directly related to the technical work and are outside the scope of non-technical senior managers or co-ordinators.

For the purposes of this definition, unless the contrary intention appears:

'Close technical supervision' means all work is thoroughly reviewed and checked.

'Complex technical work' means work which includes various tasks involving different and unrelated intricate processes and/or methods, and which depends upon detailed analysis of the subject, phase or issue involved and the selection of the appropriate course of action from many alternatives. It includes work requiring a degree of creativity, originality, ingenuity and initiative.

'Detailed technical direction' refers to situations where precise instructions are given and little or no discretion is allowed.

'General supervision' means supervision given to technical and other staff consisting of the allocation, direction, overseeing and co-ordination of the work of subordinate staff. It differs from technical supervision in that it relates to the general management of the work of all subordinate staff.

'General technical direction' refers to situations where general guidelines are given and detailed instructions are limited to unusual features, some discretion is given in selecting the appropriate courses of action.

'General technical supervision' means that work is regularly reviewed and checked for conformity with directions and other requirements with specific attention given to unusual and/or critical features.

'Limited technical direction' refers to situations where instructions are not normally given, but advice is available if required. Wide discretion is given in selecting appropriate courses of action.

'Limited technical supervision' means provision of technical advice when requested and ensuring overall compliance with objectives.

'Technical direction' means instructions and guidance given to subordinate technical staff by technically or professionally qualified personnel. It includes direction from sources such as manuals, codes, standards, etc.

'Technical supervision' means supervision given to subordinate technical staff by technically or professionally qualified personnel and consists of ensuring adherence to technical directions, solving technical problems, giving decisions on technical solutions proposed by subordinate personnel and reviewing and checking the work of technical staff.

'Technical work' means that application of technical knowledge (initially gained by satisfactorily completing an appropriate course of study at a recognised TAFE institution, or equivalent qualification), experience and judgment to undertake, support and/or supervise research, design, development, construction, processing, maintenance, information management or regulatory activities utilising scientific, mathematical, engineering, drafting and/or laboratory principles and practices involving investigations, observations, field trials, testing, measurements, interpretations, evaluations, application of regulations, diagnosis/prognosis and remediation/treatment in laboratory, field or other situations. May work independently of professional and other technical staff.

8. SALARIES

(a) An employee appointed to a position classified under this award is to be paid at the salary rate applicable to the level determined by reference to the classification standards set out in Clause 7 - Definitions, subclause (b) - Classification Standards.

	Salaries per Annum $
Level 1	
1st year of service	34003
2nd year of service	34648
3rd year of service	35290
4th year of service	35933
5th year of service and thereafter	37378

PROVIDED that an employee who has completed 12 months' service on the maximum salary rate prescribed for Level 1 is to progress to Level 2, subject to the employer being satisfied that the employee's overall performance has justified the progression.

Level 2	
1st year of service	38927
2nd year of service	40547
3rd year of service	42233
4th year of service	44019
5th year of service and thereafter	45854
Level 3	47675
1st year of service	49523
2nd year of service	51358
3rd year of service and thereafter	
Level 4	
1st year of service	53188
2nd year of service	55020
3rd year of service and thereafter	56854
Level 5	62286
Level 6	65906

(b) Part-time and Casual employees

(i) Employees are to be paid in the same ratio that their ordinary weekly hours bear to the ordinary weekly hours of equivalent full-time employees.

(ii) Casual employees are to be paid a loading of 20 percent to compensate for having no entitlement to payment for annual leave, sick leave and holidays not worked.

(iii) A casual employee is to be engaged by the hour with a minimum payment of three hours for each day worked.

9. CONDITIONS OF EMPLOYMENT

(a) Unless specified otherwise in this award, conditions of employment applying to employees covered by this award are to be as prescribed in the General Conditions of Employment Award.

(b) Where there is an inconsistency between the 'second tier' agreement T1233 of 1988 and provisions contained in this award or the General Conditions of Employment Award the provisions of the 'second tier' agreement are to prevail.

10. SPREAD OF HOURS

Ordinary hours of work may be performed between 7.00 am and 7.00 pm.

11. OVERTIME

(a) Employees classified up to and including Level 4, 2nd year of service, are entitled to payment for authorised overtime worked at the direction of the employer. The payment is to be calculated by reference to the employee's actual salary as prescribed in this award and the overtime rates as prescribed in the General Conditions of Employment Award.

(b) Employees classified at Level 4, 3rd year of service and above are not entitled to receive payment for overtime worked.

12. HIGHER DUTIES ALLOWANCE

Higher duties allowances are payable as follows:

(a) An employee classified up to and including Level 4 is entitled to a higher duties allowance only when the employee acts in and performs the duties of a higher-classified position for a minimum period of 10 consecutive working days and the acting position is two or more levels higher than the employee's substantive classification.

(b) An employee classified at Level 5 and above is entitled to a higher duties allowance only when the employee acts in and performs the duties of a higher classified position for a minimum period of 20 consecutive working days and the acting position is two or more levels higher than the employee's substantive classification.

(c) An employee substantively classified between Level 1 and Level 5 is entitled to a higher duties allowance if required to act in and perform the duties of a position classified one level higher than the employee's substantive classification and where the acting appointment is for a period of 40 consecutive working days or more.

13. SALARY INCREMENTS

(a) An employee occupying a position covered by a classification containing a salary scale providing for annual increments is entitled, at the completion of each period of 12 months continuous service in that position, to receive the relevant annual increment until the maximum salary for that classification is reached.

(b) An employee is not entitled to an annual increment unless, in the opinion of the employer, the employee's conduct, diligence and efficiency have been satisfactory during the 12 month period preceding the date upon which the increment falls due.

Tim Abey
COMMISSIONER

9 January 2008