

CROWN EMPLOYEES (GENERAL STAFF - SALARIES) AWARD 2007

INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

Review of Award pursuant to Section 19 of the *Industrial Relations Act 1996*.

(Case No. 2016/00005787)

Before Commissioner Stanton

2 August 2016

REVIEWED AWARD

1. Arrangement

PART A

Clause No.	Subject Matter
1.	Arrangement
2.	Definitions
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PART B

MONETARY RATES

Schedule A - Classifications and Rates of Pay

2. Definitions

In this award:

- (i) "2016 Award" means the Crown Employees (Public Sector - Salaries 2016) Award .
- (ii) "Employee" means and includes any person appointed to or performing the duties of any of the roles covered by this award.
- (iii) "Union" means the Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales.
- (iv) "TAFE" means the Technical and Further Education Commission of New South Wales.

3. Salaries

- (i) Salaries for classifications covered by this Award are adjusted by the *Crown Employees (Public Sector – Salaries 2016) Award* (or its replacement) and are found in the salary tables attached to that award.
- (ii) The salaries payable are prescribed in the said Part B.

4. Hours of Work

Employees covered by this award will continue to maintain the existing arrangements regarding hours of work allocated to their classification as determined in their organisation as at the making of this award.

5. Transition Arrangements

In relation to the classification of Photographer Grade 3 as set out in Schedule A - Classifications and Rates of Pay, of Part B, Monetary Rates, the following transitional arrangements shall apply in relation to existing staff employed within the Arts portfolio as at the making of this award:

Employees currently employed at the maximum rate as a Photographer Grade 2 within the Arts portfolio shall be progressed to the first year rate of Photographer Grade 3 based on their organisation's assessment as to whether all the following criteria apply:

- (i) the employee being at the Photographer Grade 2 level for at least 12 months;
- (ii) work being available (encompassing the criteria for appointment that attaches to the Grade 3 level as set out in Schedule A), and the existence of a Photographer Grade 3 position within the organisation;
- (iii) successful completion of a relevant certificate or degree and/or significant equivalent experience;
- (iv) the employee having used both traditional and digital equipment in their work; and
- (v) the conduct and services of the employee being of a satisfactory standard.

These transitional arrangements will apply in relation to existing employees moving from Grade 2 to Grade 3 Photographer. All future appointments as a Photographer Grade 3 will be based on normal merit selection requirements and the availability of a position at the Grade 3 level.

6. Grievance and Dispute Settling Procedure

- (i) All grievances and dispute resolution relating to the provisions of this award shall initially be dealt with as close to the source as possible, with graduated steps for further attempts at resolution at higher levels of authority within the appropriate department/institute, if required.
- (ii) An employee is required to notify in writing their immediate manager as to the substance of the grievance, dispute or difficulty, request a meeting to discuss the matter and, if possible, state the remedy sought.
- (iii) Where the grievance or dispute involves confidential or other sensitive material (including issues of harassment or discrimination under the Anti Discrimination Act, 1977) that makes it impractical for the officer to advise their immediate manager the notification may occur to the next appropriate level of management, including where required, to the Agency Head or delegate.
- (iv) The immediate manager, or other appropriate officer, shall convene a meeting in order to resolve the grievance, dispute or difficulty within two (2) working days, or as soon as practicable, of the matter being brought to attention.
- (v) If the matter remains unresolved with the immediate manager, the employee may request to meet the appropriate person at the next level of management in order to resolve the matter. This manager shall respond within two working days, or as soon as practicable. This sequence of reference to successive levels of management may be pursued by the employee until the matter is referred to the Agency Head/Managing Director, TAFE.
- (vi) The Agency Head/Managing Director, TAFE may refer the matter to the Industrial Relations Secretary for consideration.

- (vii) If the matter remains unresolved, the Agency Head/Managing Director, TAFE shall provide a written response to the employee and any other party involved in the grievance, dispute or difficulty, concerning action to be taken, or the reason for not taking any action, in relation to the matter.
- (viii) An employee, at any stage, may request to be represented by their union.
- (ix) the employee or the Union on their behalf, or the Agency Head/Managing Director, TAFE may refer the matter to the Industrial Relations Commission of New South Wales if the matter is unresolved following the use of these procedures.
- (x) The employee, union, agency, and Industrial Relations Secretary and/or institute and TAFE shall agree to be bound by any order or determination by the Industrial Relations Commission of New South Wales in relation to the dispute.
- (xi) Whilst the procedures outlined in subclauses (i) to (ix) of this clause are being followed, normal work undertaken prior to notification of the dispute or difficulty shall continue unless otherwise agreed between the parties. In a case involving work health and safety, if practicable, normal work shall proceed in a manner that avoids any risk to the health and safety of any employee or member of the public.

7. Anti-Discrimination

- (i) It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the *Industrial Relations Act 1996* to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibilities as a carer.
- (ii) It follows that, in fulfilling their obligations under the dispute resolution procedure prescribed by this award, the parties have obligations to take all reasonable steps to ensure that the operation of the provisions of this award are not directly or indirectly discriminatory in their effects. It will be consistent with the fulfilment of these obligations for the parties to make application to vary any provision of the award which, by its terms or operation, has a direct discriminatory effect.
- (iii) Under the *Anti-Discrimination Act 1977*, it is unlawful to victimise an employee because the employee has made or may make or has been involved in a complaint of unlawful discrimination or harassment.
- (iv) Nothing in this clause is to be taken to affect:
 - (a) any conduct or act which is specifically exempted from anti-discrimination legislation;
 - (b) offering or providing junior rates of pay to persons under 21 years of age;
 - (c) any act or practice of a body established to propagate religion which is exempted under section 56(d) of the *Anti-Discrimination Act 1977*;
 - (d) a party to this award from pursuing matters of unlawful discrimination in any State or Federal jurisdiction.
- (v) This clause does not create legal rights or obligations in addition to those imposed upon the parties by the legislation referred to in this clause.

NOTES

- (i) Employers and employees may also be subject to Commonwealth anti-discrimination legislation.
- (ii) Section 56(d) of the *Anti-Discrimination Act 1977* provides:

"Nothing in the Act affects ... any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion."

8. Salary Sacrifice to Superannuation

An employee may elect, subject to the agreement of the agency, to enter into a Salary Packaging Arrangement in accordance with the provisions of Clause 5 of the Crown Employees (Public Sector - Salaries 2016) Award or any variation or replacement Award.

9. Deduction of Union Membership Fees

- (i) The union shall provide the employer with a schedule setting out union fortnightly membership fees payable by members of the union in accordance with the union's rules.
- (ii) The union shall advise the employer of any change to the amount of fortnightly membership fees made under its rules. Any variation to the schedule of union fortnightly membership fees payable shall be provided to the employer at least one month in advance of the variation taking effect.
- (iii) Subject to subclauses (i) and (ii) of this clause, the employer shall deduct union fortnightly membership fees from the pay of any employee who is a member of the union in accordance with the union's rules, provided that the employee has authorised the employer to make such deductions.
- (iv) Monies so deducted from employee's pay shall be forwarded regularly to the union together with all necessary information to enable the union to reconcile and credit subscriptions to employees' union membership accounts.
- (v) Unless other arrangements are agreed to by the employer and the union, all union membership fees shall be deducted on a fortnightly basis.
- (vi) Where an employee has already authorised the deduction of union membership fees from his or her pay prior to this clause taking effect, nothing in this clause shall be read as requiring the employee to make a fresh authorisation in order for such deductions to continue.

10. Area, Incidence and Duration

- (i) This award shall apply to employees employed in the classifications set out in Schedule A - Classifications and Rates of Pay, of Part B, Monetary Rates. The salary rates in the said Schedule A are set in accordance with the 2007 Award and any variation or replacement award.
- (ii) The changes made to the award pursuant to the Award Review pursuant to section 19(6) of the *Industrial Relations Act* 1996 and Principle 26 of the Principles for Review of Awards made by the Industrial Relations Commission of New South Wales on 28 April 1999 (310 I.G. 359) take effect on and from 2 August 2016

The award remains in force until varied or rescinded, the period for which it was made having already expired.

PART B
MONETARY RATES

Schedule A - Classifications and Rates of Pay - General Staff

Salaries for classifications covered by this Award are adjusted by the *Crown Employees (Public Sector – Salaries 2016) Award* (or its replacement) and are found in the salary tables attached to that award.

Classification and Grades	Common Salary Point	1.7.15 Per annum 2.5% \$
Community Liaison Officer/Aboriginal Community Liaison Officer, Department of Education and Training (DET)	57	66,591
Farm Foreman, DET		
Grade A		
1 st year	39	56,548
2 nd year	41	57,656
3 rd year	43	58,684
Grade B		
1st year	45	59,695
2nd year	47	60,785
3rd year	51	63,008
House Officer, DET		
1st year	34	53,992
2nd year	36	54,983
3rd year	39	56,548
Maintenance Officer, DET		
1st year	24	49,521
2nd - 7th year	25	49,929
8th year	26	50,334
Photographic Assistant, DET		
1st year	22	47,940
2nd year	23	49,039
3rd year	25	49,929
4th year	26	50,334
Matrons and Sub-Matrons, DET		
Matron		
1st year	45	59,695
Thereafter	46	60,154
Sub-Matron		
1st year	39	56,548
Thereafter	40	57,015
Storeman/Attendant, Hurlstone/Yanco Agricultural High School, DET		
1st year	17	45,800
2nd year	18	46,251
3rd year and 4th year	20	47,049
5th year	22	47,940
Technical Assistant (Art, Ceramics, TV Studio)		
Years 1 - 3	32	53,060
Years 4 - 6	34	53,992
Year 7	35	54,429

Assistant, Dept of Infrastructure Planning and Natural Resources (DIPNR)		
Junior - under 17 (50% of Grade 1, Yr 1)		23,125
Aged 17 (60% of Grade 1, Yr 1)		27,750
Aged 18 (70% of Grade 1, Yr 1)		32,375
Aged 19 (80% of Grade 1, Yr 1)		37,000
Aged 20 (90% of Grade 1, Yr)		41,626
Grade 1		
1st year	18	46,251
2nd year	22	47,940
3rd year	25	49,929
4th year	29	51,694
5th year	32	53,060
Grade 2		
1st year	34	53,992
2nd year	36	54,983
3rd year	37	55,509
4th year	39	56,548
Grade 3		
1st year	46	60,154
2nd year	52	63,649
Field Services Staff, DIPNR		
Field Supervisor		
1st year	48	61,290
2nd year	51	63,008
3rd year	53	64,193
4th year	55	65,396
5th year	58	67,248
Field Service Manager, Years 1-3 only		
Other locations (not specified)		
1st year	66	72,890
2nd year	67	73,635
3rd year	69	75,025
Specific locations Years 1-4 (Bathurst, Cooma, Glennies Creek, Gosford, Goulburn, Henty, Inverell, Lithgow, Manilla (f.s.), Moss Vale, Nowra, Newcastle, Parkes, Cowra RC, Parramatta, Penrith, Scone, Singleton, Wellington, Braidwood (cons.), Murwillumbah, Coffs Harbour, Kempsey, Grafton, Queanbeyan, Gunnedah RC.		
4th year	75	79,384
Regional Field Services Manager	83	85,928
Overseers, DIPNR		
Grade 1 (ex Dept of Water Resources only)	60	68,582
Grade II	61	69,276
Grade III	65	72,039
Grade IV	73	77,973
Grade V	77	80,945
Plant Managers, DIPNR		
Grade 1 (Workshop Supervisors, Goulburn, Inverell, Scone & Wagga Wagga)	65	72,039
Grade 2 (Workshop Manager, Wellington & Fleet Managers, Tamworth & Wagga Wagga)		
Year 1	69	75,025
Year 2	70	75,766
Assistant Education Officers,	43	58,684

Powerhouse Museum	47	60,785
House Officer, Powerhouse Museum	43	58,684
Museum Officer, Powerhouse Museum	44	59,120
	18	46,251
	19	46,654
	20	47,049
	21	47,497
	23	49,039
Photographer - Grade 1 - Years 1-3 (various agencies)		
1st year	39	56,548
2nd year	41	57,656
3rd year	43	58,684
Grade 2*		
1st year	49	61,921
2nd year	51	63,008
*Progression from Photographer Grade 1 to Photographer Grade 2 (see Sch A of award)		
Photographers Grade 3** Years 1-3		
1st year	63	70,751
2nd year	65	72,039
3rd year	69	75,025
**Grade 3 requirements in Sch A of award		
Photographic Assistant	22	47,940
	23	49,039
	25	49,929
	26	50,334
Preparator - Grade 1, Powerhouse Museum Years 1-3	45	59,695
	48	61,290
	51	63,008
Grade II - Years 1-2	55	65,396
	59	67,951
Senior Preparator, Powerhouse Museum	63	70,751
	65	72,039
Stores Officer, Powerhouse Museum Grade 1		52,551
	31	53,490
Grade 2	33	53,992
	34	54,429
Grade 3	35	54,983
	36	55,509
Grade 4	37	56,548
	39	57,656
Transport Officer, Powerhouse Museum	41	60,785
	47	61,921
Field Assistant, Dept of Mineral Resources	49	52,551
	26	50,334
Year 2	28	51,168
Year 3	31	52,551
Year 4	32	53,060
Year 5	34	53,992
Regional Mining Officer, Dept of Mineral Resources	58	67,248
	61	69,276
	64	71,438
	67	73,635
Regional Mining Officer, Lightning Ridge,	75	79,384

Dept of Mineral Resources	79	82,542
	82	85,098
	85	87,591
Craftsman/Framer, Art Gallery	32	53,060
Gallery Services Officer, Art Gallery	18	46,251
	20	47,049
Supervisor, Gallery Services Officers Art Gallery -	23	49,039
Senior Gallery Services Officer	43	58,684
	45	59,695
	47	60,785
	49	61,921
Installation Officer, Art Gallery	26	50,334
	29	51,694
	32	53,060
Senior Installation Officer, Art Gallery	32	53,060
	35	54,429
Display Technician, Art Gallery Grade 1	45	59,695
	48	61,290
	51	63,008
Grade 2	55	65,396
	59	67,951
Senior Display Technician	63	70,751
	65	72,039
Bar Manager, Police Academy	34	53,992
Building Manager, NSW Police	60	68,582
	61	69,276
	63	70,751
Driving Instructor, NSW Police College	68	74,174
	69	75,025
	72	77,174
General Assistant, NSW Police College	19	46,654
	20	47,049
	22	47,940
	23	49,039
	25	49,929
Groom, Mounted Police	16	44,675
	18	46,251
Maintenance Attendant, Goulburn Police College	22	47,940
Senior Basement Attendant, Police Headquarters	29	51,694
	31	52,551
	32	53,060
	34	53,992
Storeman/Attendant, Police Headquarters	17	45,800
Uniform Fitter and Advisory Officer, NSW Police	37	55,509
Police Armourer Year 1 Year 2 Year 3 Year 4	51	63,008
	55	65,396
	58	67,248
	59	67,951
General Assistant, State Library	23	49,039
Photographic Operator, State Library	23	49,039

	26	50,334
Museum Assistant, Historic Houses Trust Grade 1 Years 1 to 4	20 21 25 27	47,049 47,497 49,929 50,739
Grade 2, Years 1 to 5	30 31 34 35 36	52,136 52,551 53,992 54,429 54,983
Museum Guide, Historic Houses Trust Years 1 to 6	28 30 32 34 36 39	51,168 52,136 53,060 53,992 54,983 56,548
Chief Guide, Historic Houses Trust	48 51	61,290 63,008
Entrance Attendant, Royal Botanic Gardens	30	52,136
Herbarium Assistants, Royal Botanic Gardens Grade 1	18 22 25 29 32	46,251 47,940 49,929 51,694 53,060
Grade 2	34 36 37 39	53,992 54,983 55,509 56,548
Centre Supervisor, State Sports Centre	37 (+10% all purpose allow.)	55,509
Centre Supervisor, State Sports Centre	40	57,015
Events Technical Officer, State Sports Centre	58	67,248
Maintenance Officer, State Sports Centre	55	65,396
Facilities Manager, State Sports Centre	111	113,324
Assistant Facilities Manager, State Sports Centre	67	73,635
General Assistant, WorkCover	19 20 22 23 25	46,654 47,049 47,940 49,039 49,929
Day Attendant, Australian Museum	18 19 20 21 23	46,251 46,654 47,049 47,497 49,039
Preparator, Australian Museum Assistant Preparator (55)	29 34 39 43	51,694 53,992 56,548 58,684
Cadet Preparator (56)	21 25	47,497 49,929
Chief Preparator	82 84	85,098 86,684
Preparator (57) Grade I	46	60,154

	49	61,921
	52	63,649
Grade II	56	66,009
	60	68,582
Senior Preparator	63	70,751
	65	72,039
Cleaner/Messenger/Courtkeeper, Sheriff's Office, Attorney-General's Dept	30	52,136
Courtkeeper and Cleaner, Darlinghurst, Attorney-General's Dept	27	50,739
Courtkeeper/Cleaner and Messenger, Bathurst, Attorney-General's Dept	25	49,929
Courtkeeper/Cleaner and Messenger, Queanbeyan (Local Court), Attorney- General's Dept	25	49,929
Security Attendant, Attorney-General's Dept (formerly Assistant Service Officer)	17	45,800
	18	46,251
	20	47,049
	22	47,940
Basement Attendant, Attorney-General's Dept (formerly Assistant Service Officer)	23	49,039
Property Inspector, Public Trust Office	64	71,438
	67	73,635
	69	75,025
	73	77,973

J. D. STANTON, Commissioner

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