

A1687 A S Print M9493

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988
s.99 notification of industrial disputes

Communication Workers Union of Australia
(C No. 32367 of 1992)

Administrative and Clerical Officers' Association, Australian
Government Employment
(C No. 35852 of 1989)

Australian Public Service Association
(C No. 35893 of 1989)

Professional Officers' Association, Australian Public Service
(C No. 35896 of 1989)

Association of Professional Engineers, Scientists and Managers of Australia
(C No. 35743 of 1994)

and

Australian Postal Corporation

s.111(1)(b) application for consent award

Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia

CPSU, the Community and Public Sector Union

Association of Professional Engineers, Scientists and Managers, Australia

and

Australian Postal Corporation
(C No. 10229 of 1995)

AUSTRALIA POST ADMINISTRATIVE / PROFESSIONAL
(INTERIM) AWARD 1995

Various employees

Postal services

COMMISSIONER LARKIN

SYDNEY, 15 MARCH 1996

Wages and conditions

CONSENT AWARD

Following a decision issued by the Commission on 26 February 1996 [Print M9414] the award is made as follows:

1 - TITLE

This award shall be known as the Australia Post Administrative/ Professional (Interim) Award 1995. This award is a paid rates award.

2 - ARRANGEMENT

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3 - DEFINITIONS

In this award:

"Australia Post" means the Australian Postal Corporation;

"Determination" means a determination made under section 89 of the Australian Postal Corporation Act 1989;

"Employee" means a person engaged under Clause 11 of the Australia Post General Conditions of Employment (Interim) Award 1995 [Print M9496 [A1686]], unless otherwise provided in this award or another award;

" Experienced Engineer" shall mean a " Professional Engineer" with the undermentioned qualifications in any particular employment, the adequate discharge of any portion of the duties of which employment requires qualifications of the employee as (or at least equal to those) of a Member of The Institution of Engineers, Australia.

The aforesaid qualifications are as follows:

3 - Definitions - contd

- (i) that the person is a member of the said Institution;
- or
- (ii) that the person, having graduated in a four-year or a five-year course at a University recognised by the said Institution, has had four years' experience on professional engineering duties since becoming a " Qualified Engineer"; or
- (iii) that the person, not having so graduated, has had five years of such experience.

"Professional Engineer" shall mean an adult person qualified to carry out professional engineering duties as defined. The term " Professional Engineer" shall embrace and include "Qualified Engineer" and " Experienced Engineer" as defined.

"Professional Engineering Duties" shall mean the duties carried out by a person in any particular employment the adequate discharge of any portion of which duties requires qualifications of the employee as (or at least equal to those of) a graduate member of The Institution of Engineers, Australia.

"Qualified Engineer" shall mean a " Professional Engineer" other than an " Experienced Engineer" as defined, that is, it shall mean a person who is or is qualified to become a graduate member of The Institution of Engineers, Australia.

"The Principal Determination" means the principal determination prescribing the terms and conditions of employment in Australia Post as varied from time to time.

4 - PARTIES BOUND

This award shall be binding upon:

- (i) The following organisations, their respective officers and members:
- Postal Communications, Electrical, Electronic, Energy, Information, and Allied Services Union of Australia;
- Community and Public Sector Union;
- Association of Professional Engineers Scientists and Managers, Australia; and
- (ii) Australia Post in respect of employees of the designations specified in this award and who are members of the claimant organisations.

5 - INCONSISTENCY

(a) This award shall be read in conjunction with determinations made from time to time under the Australian Postal Corporation Act 1989.

(b) Where a determination is inconsistent with the provisions of this award, the latter shall prevail.

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6 - DURATION

This award shall come into operation on 28 December 1995 and remain in force for a period of twelve months.

7 - RESERVATIONS

Leave is reserved to all parties to make application to vary this award during its currency.

8 - PREVIOUS AWARDS

This award rescinds and replaces the following awards:

Australia Post PSU Award 1990 [Print J3886 [A0533]];

Australian Postal Commission Professional Officers (Salaries) Award 1980 [Print G0806 [A0223]];

Australia Post (Senior Managers) Interim Award 1989 [Print H8649 [A0499]];

Australian Postal Commission Journalists and Photographers (Salaries and Specific Conditions) Award 1980 [Print E5001 [A0228]]

9 - SAVINGS

Nothing in this award shall operate, in itself, to reduce the rates of pay or conditions of employment which existed immediately prior to or at the date of its making.

10 - SALARIES

The designations covered by this award and the respective salary ranges are specified in Schedule A.

11 - HOURS OF DUTY

Other than Shiftworkers

(a) The ordinary hours of duty of employees, other than shiftworkers, shall be 36-3/4 hours per week to be worked on five days Monday to Friday within the limits of 8.00am and 6.00pm.

(b) In the application of subclause (a) of this clause to employees employed in the Northern Territory:

(i) "8.00am" where appearing shall read "7.30am"

(ii) "6.00pm" where appearing shall read "5.30pm"

(c) Where Australia Post agrees that an employee may work a reduced number of attendances over a cycle of weeks, the hours of duty over those weeks

shall average 36-3/4 hours per week.

(d) The Flexible Working Hours Scheme shall be made available to staff covered by this Award where work routines are not entirely dependent on traffic flow or operational requirements. The operation of the Scheme shall take

11 - Hours of duty (d) - contd

account of the operation and business needs of Australia Post and its employees. These needs will still allow employees to have significant control over their starting and finishing times. Principles for the operation of the Scheme are outlined in Schedule B.

Shiftworkers

(e) The ordinary hours of duty of employees required to work shift duty shall not exceed 36-3/4 per week or an average of 36-3/4 over a cycle of shifts.

12 - SALES STAFF

Australia Post shall provide sales staff with suitable motor vehicles for the purpose of assisting them in the performance of their duties. Such vehicles shall be fully maintained by Australia Post.

13 - PERMANENT PART-TIME EMPLOYMENT

(a) The provisions in this clause should be read in conjunction with the general part-time provisions outlined in Schedule B to the Australia Post General Conditions of Employment (Interim) Award 1995 [Print M9496 [A1686]].

Initiation of Proposal

(b) Proposals for permanent part-time employment may be initiated by Australia Post or by an employee.

(i) An employee may only initiate a proposal for part-time employment:

- (1) in respect of that employee's substantive position; and/or
- (2) in respect of another position in which the employee is temporarily performing duties.

(ii) Where an employee initiates a proposal for part-time employment in a position in which the employee is temporarily performing duties:

- (1) the proposal can only be for the duration of the temporary transfer and would be subject to its continuance;
- (2) if the proposal is agreed to by Australia Post, the substantive occupant of the position (if any) shall not thereby be unattached from full-time substantive occupancy of the position; and
- (3) for the purposes of an appeal made against the

selection of an employee to perform temporarily the duties of a position on a part-time basis in accordance with this subclause the employee shall, in relation to an appellant, be regarded as a full-time employee.

13 - Permanent part-time employment (b) - contd

- (iii) An employee may only initiate a proposal for part-time employment where that employee has no less than three months continuous service with Australia Post, except where exceptional personal circumstances apply.

Right of Reversion or Conversion

for (c) (i) Where a full-time employee is permitted to work part-time personal reasons for an agreed period not exceeding twelve (12) months, that employee shall have a right to:

- (1) revert to full-time employment in the position the employee occupied prior to entering into the part-time work arrangement at the expiry of the agreed period; and
- (2) if circumstances alter before the expiry of the agreed period such that the employee is available to return to full-time work, that employee shall have a right to revert to full-time employment in the position the employee occupied before entering into the part-time work arrangement as soon as practicable, but no later than the expiry of the agreed period.

Provided that where an employee was performing temporarily the duties of a higher position prior to entering into the part-time work arrangement and that arrangement necessitated the cessation of such temporary performance, these reversion rights are limited to that employee's substantive position.

personal (ii) Where an employee is permitted to work part-time for

reasons for a period exceeding twelve (12) months in the position which the employee, immediately prior to entering into the part-time arrangement, occupied on a full-time basis, the employee has a right to revert to full-time hours in the position, if practicable, or otherwise to a position in the employee's work area equivalent to the employee's substantive level, as soon as practicable after notifying Australia Post of his or her availability to return to full-time employment.

to (iii) A part-time employee without reversion rights who desires convert or revert to full-time employment will be required to seek promotion or transfer to full-time positions by:

- (1) application for advertised vacancies; and/or
- (2) by notification in writing to Australia Post of the

employee's desire to convert or revert to full-time employment.

transfer (iv) On receipt of such notification, Australia Post will
the employee, as soon as practicable, to a full-time position appropriate to the employee, at a level no less than the employee's substantive level, having regard to the

13 - Permanent part-time employment (c)(iv) - contd

qualifications and experience of the part-time employee, and the interests of employees generally.

from (v) Nothing in this clause shall prevent Australia Post transferring the employee to a full-time position at a level less than the employee's substantive level.

or (vi) Prior to effecting the transfer of an employee under (iv)

(v) above Australia Post shall:

- (1) notify the employee of the specific position to which Australia Post proposes to transfer the employee; and
- (2) obtain the written consent of the employee to his or her transfer to that position.

Reversion to Full-Time Position

(d) Where as a result of a personal initiative by an employee under sub-clause (b) to undertake permanent part-time employment and where the employee who initiated the arrangement no longer occupies that office, the office reverts to a full-time position.

Emergency Duty

(e) Part-time staff shall be entitled to the standard emergency duty conditions in the Australia Post General Conditions of Employment (Interim) Award 1995 [Print M9496 [A1686]], but shall not be required to work extra duty under the standard overtime conditions.

14 - GENERAL CONDITIONS OF EMPLOYMENT

Staff covered by this Award, are covered by all relevant provisions in the Australia Post General Conditions of Employment (Interim) Award 1995 [Print M9496 [A1686]].

BY THE COMMISSION:

COMMISSIONER

Appearances:

Mr P. Ryan with Mr P. Rogan for the Australian Postal Corporation.

Ms B. Mclean with Mr B. Baulk for the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia.

Mr J. Spicer for the CPSU, the Community and Public Sector Union.

Mr N. Henderson for the Association of Professional Engineers, Scientists and Managers, Australia.

Hearing details:

1995.

Melbourne:

December 19.

SCHEDULE A

Employees occupying positions classified as follows shall be paid at the corresponding salary rate or within the corresponding salary range:

Classification	\$ Per Annum
ASSISTANT (PRINTING)	
Assistant Grade 1	21700-22132-22564
Assistant Grade 2	22564-22862-23153
Assistant Grade 3	23444-23699-23962
Assistant Grade 4	24242-24531-24831
SENIOR ASSISTANT (PRINTING)	
Senior Assistant Grade 1	23160-23416-23674
Senior Assistant Grade 2	23755-24028-24322
Senior Assistant Grade 3	24655-24947-25249
Senior Assistant Grade 4	25523-25816-26120
COUNSELLOR	
Counsellor Class 1	23433-24817-26202-27587- 28967-30718-32473
Counsellor Class 2	34872-36001-37133-38263
Counsellor Class 3	40309-41469-42626-43675
ENGINEER	
Engineer Class 1 (2)	24687-25678-27173-28922- 30955-33005
Engineer Class 2	34910-36074-37239-38402
Engineer Class 3	40411-41783-43160-44534
LIBRARIAN	
Librarian Class 1	23924-24917-26041-27314- 28622-29818-31011
Librarian Class 2	32208-33108-34161-35217
Librarian Class 3	36706-38196-39684-41173

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Schedule A - contd

Classification	\$ Per Annum
OCCUPATIONAL PHYSIOTHERAPIST	
Occupational Physiotherapist Class 2	34335-35502-36662-37831
Occupational Physiotherapist Class 3	39499-40872-42244-43619

POSTAL ADMINISTRATIVE STRUCTURE

Administrative Officer Level 1 (1)	19147-19993-20788-21474-22161
Administrative Officer Level 2	22846-23639-24430-25222-26013
Administrative Officer Level 3	26964-28034-29143-30263-31383
Administrative Officer Level 4	32951-34407-35863-37319
Administrative Officer Level 5	39077-40556
Administrative Officer Level 6	42226-43693

PSYCHOLOGIST

Psychologist Class 2	34856-35988-37119-38249
Psychologist Class 3	40296-41455-42612-43770

REHABILITATION COUNSELLOR

Rehabilitation Counsellor	32557-33543-34528
Senior Rehabilitation Counsellor	35610-36564-37521

- (1) An employee with the prescribed educational qualifications or keyboard skills shall be advanced to the second salary point in the A01 range.
- (2) Provided that an Engineer Class 1 who is a graduate in engineering (4 to 5 year course) of a University recognised by The Institution of Engineers, Australia shall be paid at the rate of the second salary sub-division of Engineer Class 1. Provided further that an Experienced Engineer as defined shall be paid a minimum salary equal to the sixth salary sub-division of Engineer Class 1.

SCHEDULE B
FLEXIBLE WORKING HOURS SCHEME

- (a) Subject to the Hours of Duty Clause (Clause 11), the Flexible Working Hours Scheme (FWHS) shall be made available to employees covered by this Award. The operation of the scheme shall take account of the operational and business needs of the Corporation and its employees.
- (b) The successful operation of the Flexible Working Hours Scheme depends on effective management and the co-operation of employees and the Unions. It is the responsibility of managers and employees to ensure that:
 - (i) the Flexible Working Hours Scheme is worked in accordance with the relevant Award and Guidelines for administration of the scheme;
 - (ii) levels of service and working efficiency are maintained;
 - (iii) employees seek prior approval if they wish to take flex leave;
 - (iv) operation of the scheme shall be the subject of consultation between managers and employees.
- (c) In addition it is the responsibility of managers to ensure that:
 - (i) the operation of the Flexible Working Hours Scheme does not impair the efficient performance of the areas under their control;
 - (ii) minimum staffing requirements of their areas at different times of the day or week are determined;
 - (iii) arrangements for ensuring that the minimum staffing requirements are met should be arrived at in consultation with employees;
 - (iv) employees can be instructed to be on duty during the bandwidth if circumstances require it subject to (iii) above.
 - (v) employees not complying with Hours of Duty award provisions and Guidelines may have access to flextime restricted, or be dealt with under the normal disciplinary provisions if circumstances so dictate.

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