

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999 - s. 698 - reprint of award

AGRICULTURAL COLLEGES OF QUEENSLAND (EXCLUDING DOMESTIC AND GENERAL STAFF) AWARD - STATE 2012

Following the Declaration of the General Ruling in the 2012 State Wage Case (matter numbers B/2012/14 and B/2012/15), the Agricultural Colleges of Queensland (Excluding Domestic and General Staff) Award - State 2012 is hereby reprinted, pursuant to s. 698 of the *Industrial Relations Act 1999*.

I hereby certify that the Award contained herein is a true and correct copy of the Agricultural Colleges of Queensland (Excluding Domestic and General Staff) Award - State 2012 as at 1 September 2012.

Dated 1 September 2012.

[L.S.] G.D. Savill
Industrial Registrar

**AGRICULTURAL COLLEGES OF QUEENSLAND
(EXCLUDING DOMESTIC AND GENERAL STAFF) AWARD - STATE 2012**

PART 1 - APPLICATION AND OPERATION

1.1 Title

This Award is known as the Agricultural Colleges of Queensland (Excluding Domestic and General Staff) Award - State 2012.

1.2 Arrangement

Subject Matter Clause No.

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1.3 Date of operation

1.3.1 This Award takes effect from 1 November 2004.

1.4 Coverage

This Award applies to employees engaged by the Australian Agricultural College Corporation or the Australian Agricultural College Employing Office in the positions or classes of positions listed at clauses 5.1.2, 5.1.3, 5.1.4, Schedule 43.00 and Schedule 44.00 and whose rates of pay are fixed by this Award.

1.5 Definitions

1.5.1 "Act" means the *Industrial Relations Act 1999* as amended or replaced from time to time.

1.5.2 "Administrative Stream" comprises those positions, the duties of which apply to the functional areas identified herein, the incumbents of which are required to possess a range of skills appropriate to the stream. Such functional areas include agency administration, human resource management, finance, customer service, development and implementation of policy, information and advisory services.

1.5.3 "Board" means the Board of the Corporation constituted under the *Agricultural College Act 2005*.

1.5.4 "Casual Employee" means an employee who is engaged by the hour to work on an intermittent basis.

1.5.5 "Classification Level" means a level comprising a number of Paypoints in a particular stream through which employees will be eligible to progress.

1.5.6 "College" means the Agricultural College established in accordance with the *Agricultural College Act 2005*.

1.5.7 "Commission" means the Queensland Industrial Relations Commission.

1.5.8 "Director" means the person appointed under the *Agricultural College Act 2005* as Chief Executive Officer of the Agricultural College and who is responsible for the day to day management of the Agricultural College.

1.5.9 "Employer" means the Australian Agricultural College or Australian Agricultural College Employing Office established under the *Agricultural College Act 2005*.

1.5.10 "Fixed-term Employee" means an employee engaged to meet temporary circumstances for a specific period not exceeding 3 years and which term will not be extended without prior consultation with the Union party to this Award.

1.5.11 "Generic Level Statement" means a broad, concise statement of the duties, skills and responsibilities indicative of a given Classification Level.

1.5.12 "Increment" means for all employees, an increase in salary from one Paypoint to the next highest Paypoint.

1.5.13 "Instructor" means a person appointed as such and who conducts/manages formal and/or informal training programs and undertakes associated functions and incidental duties within that person's area of expertise and otherwise as required by the Employer which may include production activities of the College.

1.5.14 "Registered Nurse" means a nurse licensed to practise nursing without supervision and who assumes accountability and responsibility for own actions and acts to rectify unsafe nursing practice and/or

unprofessional conduct. It is essential that the nurse appears on the Australian Health Practitioner Regulation Agency (AHPRA) Register of Practitioners as a Registered Nurse (Division 1). Roles and responsibilities of the Registered Nurse are described in the Generic Level Statements - refer to Schedule 3.

1.5.15 "Operational Stream" comprises those positions, the duties of which apply to various functional areas, the incumbents of which are required to possess a range of skills appropriate to the stream.

1.5.16 "Part-Time Employee" means an employee who, following application, is permanently engaged to work regular hours each week provided the engagement shall always be less than a full-time employee.

1.5.78 "Paypoint" means the specific rate of remuneration payable to an employee within a Classification Level.

1.5.18 "Professional Stream" comprises those positions which require the following:

(a) a mandatory degree qualification or agreed equivalent as determined by the Employer in accordance with Directive 3/97 Determination of Equivalence of Qualifications; and

(b) a combination of practitioner and/or specialist responsibilities or an identifiable specialisation/management in a profession.

1.5.19 "Technical Stream" comprises those positions which require the following:

(a) a mandatory diploma, advanced diploma or agreed equivalent as determined by the Employer in accordance with Directive 3/97 Determination of Equivalence of Qualifications; and

(b) a combination of practitioner and/or specialist responsibilities providing direct assistance to, but on occasion acting in isolation from, other offices and/or supervision of offices in other streams.

1.5.20 "Union" means Together Queensland, Industrial Union of Employees and/or the Queensland Nurse's 'Union of Employees.

1.6 Parties bound

This Award is legally binding on the following parties:

(a) the Australian Agricultural College Corporation and the Australian Agricultural College Employing Office;

(b) employees engaged by the Australian Agricultural College Corporation and the Australian Agricultural College Employing Office; and

(c) The Together Queensland, Industrial Union of Employees and/or the Queensland Nurses' Union of Employees.

PART 2 - FLEXIBILITY

2.1 Enterprise flexibility

2.1.1 As part of a process of improvement in productivity and efficiency, discussion should take place at each enterprise to provide more flexible working arrangements, improvement in the quality of working life, enhancement of skills, training and job satisfaction and to encourage consultative mechanisms across the workplace.

2.1.2 The consultative processes established in an enterprise in accordance with clause 2.1 may provide an appropriate mechanism for consideration of matters relevant to clause 2.1.1. Union delegates at the place of work may be involved in such discussions.

2.1.3 Any proposed genuine agreement reached between an Employer and employee(s) in an enterprise is contingent upon the agreement being submitted to the Commission in accordance with Chapter 6 of the Act and is to have no force or effect until approval is given.

2.2 Procedures to implement facilitative award provisions

2.2.1 Wherever facilitative provisions appear in this Award which allow for determination of the conditions of employment by agreement between the Employer and the Union or the Employer and the majority of employees affected, the following procedures will apply:

- (a) facilitative Award provisions may be negotiated between management and employees who are directly affected by such proposals or between management and the Union depending upon the particular Award provisions;
- (b) employees may be represented by their local Union delegate/s and will have the right to be represented by their local Union official/s;
- (c) facilitative Award provisions only will be implemented by agreement;
- (d) in determining the outcome from facilitative provisions, neither party will unreasonably withhold agreement.
- (e) agreement is defined as obtaining consent of greater than 50% of employees directly affected or of the Union depending upon the particular Award provisions;
- (f) where a provision refers to agreement by the majority of employees affected, all employees directly affected shall be consulted as a group. Should the consultation process identify employees in specific concerns which relate to either equity or occupational health and safety issues such concerns may be catered for on an individual basis subject to operational requirements; and
- (g) any agreement reached must be documented, and will incorporate a review period.

PART 3 - COMMUNICATION, CONSULTATION AND DISPUTE RESOLUTION

3.1 Prevention and settlement of disputes

- 3.1.1 The objectives of this procedure are the avoidance and resolution of any disputes over matters covered by this Award, by measures based on the provision of information and explanation, consultation, co-operation and negotiation.
- 3.1.2 Subject to legislation, while the dispute procedure is being followed, normal work is to continue except in the case of a genuine safety issue. The *status quo* existing before the emergence of a dispute is to continue whilst the procedure is being followed. No party will be prejudiced as to the final settlement by the continuation of work.
- 3.1.3 There is a requirement for management to provide relevant information and explanation and consult with the appropriate employee representatives.
- 3.1.4 In the event of any disagreement between the parties as to the interpretation or implementation of this Award, the following procedures will apply:
 - (a) the matter is to be discussed by the employee's Union representative and/or the employee(s) concerned (where appropriate) and the immediate supervisor in the first instance. The discussion should take place within 24 hours and the procedure should not extend beyond 7 days;
 - (b) if the matter is not resolved as per (a) above, it may be referred by the Union representative and/or the employee(s) to the appropriate management representative who will arrange a conference of the parties to discuss the matter. This process should not extend beyond 7 days;
 - (c) if the matter remains unresolved it may be referred to the Employer or their nominee for discussion and appropriate action. This process should not exceed 14 days;
 - (d) if the matter is not resolved then it may be referred by either party to the Commission for conciliation.
- 3.1.5 Nothing contained in this procedure will prevent the Union or the Employer from intervening in respect of matters in dispute, where such action is considered conducive to achieving resolution.

3.2 Employee grievance procedures

- 3.2.1 The objectives of this procedure are to promote the prompt resolution of grievances by consultation, co-operation and discussion; to reduce the level of disputation; and to promote efficiency, effectiveness and equity in the workplace.
- 3.2.2 This procedure applies to all industrial matters within the meaning of the Act.
- 3.2.3 Stage 1: In the first instance the employee will inform their immediate supervisor of the existence of the grievance and the supervisor will attempt to solve the grievance. It is recognised that an employee may exercise the right to consult their Union representative during the course of Stage 1.

- 3.2.4 Stage 2: If the grievance remains unresolved, the employee may refer the grievance to the next in line management ("the manager"). The manager will consult with the parties. The employee may exercise the right to consult or be represented by their Union representative during the course of Stage 2.
- 3.2.5 Stage 3: If the grievance is still unresolved, the manager will advise the Director and the aggrieved employee may submit the matter in writing to the Employer if they wish to pursue the matter further. If desired by either party, the matter may also be notified to the Union.

The Employer will ensure that:

- (a) the aggrieved employee or their Union representative has the opportunity to present all aspects of the grievance;
- (b) the grievance will be investigated in a thorough, fair and impartial manner.

The Employer may appoint another person to investigate the grievance. The Employer may consult with the Union in appointing an investigating employee. The appointed person will be other than the employee's supervisor or manager.

If the matter is notified to the Union, the investigating employee will consult with the Union during the course of the investigation. The Employer will advise the employee initiating the grievance, their Union representative and any other employee directly concerned of the determinations made as a result of the investigation of the grievance.

The employee may delegate such grievance resolution powers under clause 3.2 to a nominated representative.

- 3.2.6 The procedure is to be completed in accordance with the following time frames unless the parties agree otherwise:

- Stage 1 Discussions are to take place between the employee and their supervisor within 24 hours and the procedure should not extend beyond 7 calendar days.
- Stage 2 Not to exceed 7 calendar days.
- Stage 3 Not to exceed 14 calendar days.

- 3.2.7 If the grievance is not settled the matter will be referred to the chief executive of the Public Service Commission or to the Commission by the employee or the Union, as appropriate, in accordance with the respective jurisdictions of the tribunals.

- 3.2.8 Subject to legislation, while the grievance procedure is being followed, normal work is to continue, except in the case of a genuine safety issue. The *status quo* existing before the emergence of a grievance or dispute is to continue while the procedure is being followed. No party will be prejudiced as to the final settlement by the continuation of work.

- 3.2.9 Where the grievance involves allegations of sexual harassment, an employee may commence the procedure at Stage 3.

PART 4 - EMPLOYER AND EMPLOYEES' DUTIES, EMPLOYMENT RELATIONSHIP AND RELATED ARRANGEMENTS

4.1 Contract of employment

- 4.1.1 Employment will be by the fortnight for all permanent full-time, permanent part-time and Fixed-term Employees and by the hour for casual employees.
- 4.1.2 The Employer may direct an employee to use tools and equipment consistent with the employee's capabilities.
- 4.1.3 Any direction issued by the Employer pursuant to clause 4.1.2 will be consistent with the Employer's responsibilities to provide appropriate training to the employee where necessary and a safe and healthy working environment.

4.2 Employer duties

At the point of engagement of each employee, the Employer will provide each employee with a letter of engagement setting out the terms and conditions of the employee's appointment including whether the engagement is on a full-time, part-time, fixed-term or casual basis and the duration of any probationary period.

4.3 Employee duties

- 4.3.1 An employee may be required to serve at any location where the Employer has or is establishing business operations.
- 4.3.2 Upon termination of employment, all materials and property then in the possession of or under the control of the employee which is the property of the Employer are to be returned forthwith.
- 4.3.3 If at the point of termination of employment, the employee fails to return materials and/or property of the Employer in good condition allowing for fair wear and tear, the Employer will be entitled to deduct from monies due a sum not exceeding the value of such materials and/or property.

4.4 Employment categories

An Employer may appoint full-time, part-time, fixed-term or casual employees as it considers sufficient to properly perform its functions prescribed by the *Agricultural College Act 2005*.

4.5 Probationary employment

- 4.5.1 Except where the Employer and the employee agree to a longer period, the engagement of a full-time or Part-Time Employee will in the first instance be subject to a probationary period of 3 months' duration. No employee will be required to serve a probationary period exceeding 6 months' duration.
- 4.5.2 The duration of the probationary period is to be specified in writing by the Employer in the employee's letter of engagement.
- 4.5.3 During the probationary period the performance of the employee will be regularly monitored with a formal review undertaken after the completion of a period of 2 month's employment. Where the Employer considers the performance of the employee to be unsatisfactory, the matter is to be raised with the employee concerned and the employee given the opportunity to improve and meet the required standards prior to the expiration of their probationary period.
- 4.5.4 Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period outlined in their letter of engagement, the employee's appointment will be deemed to be confirmed and the employee will be provided with a letter by the Employer to this effect.
- 4.5.5 The Employer may terminate the employment of an employee who is on probation at any time during the probationary period.

4.6 Casual employment

- 4.6.1 The hourly rate of pay for casual employees will be calculated by dividing the appropriate fortnightly rate prescribed for permanent employees of the same class by 76.
- 4.6.2 A Casual Employee will be paid 23% in addition to the ordinary rate of pay prescribed for the class of work the employee is performing.
- 4.6.3 Each engagement will stand alone with an entitlement to a minimum payment of 2 hours' work in respect to each engagement.
- 4.6.4 A Casual Employee will, in addition to the hourly rate prescribed by clause 4.6.1, be further entitled to payment of any applicable Award allowances, based *pro rata* on the number of hours worked in relation to the ordinary hours of the Award classification i.e. 38 hours per week.
- 4.6.5 A Casual Employee will, where applicable, be further entitled to payment for work performed on public holidays at the rate of double time and one-half.
- 4.6.6 A Casual Employee will be entitled to long service leave on full pay in terms of the provisions of Chapter 2, Part 3, Division 3 - Casual Employees of the Act as amended from time to time.
- 4.6.7 A Casual Employee has no entitlement to any other leave provisions prescribed by this Award.
- 4.6.8 Other than payment prescribed by clause 4.6.2 to 4.6.5 inclusive, a Casual Employee will not be entitled to any further Award payment.
- 4.6.9 A Casual Employee may leave the service of the Employer or be discharged at any moment without notice.
- 4.6.10 A Casual Employee will have no entitlement to pay or leave when they do not work on a public holiday.

4.7 Part-time employment

- 4.7.1 The spread of ordinary working hours for a Part-Time Employee is the same as that prescribed for a full-time employee under this Award.
- 4.7.2 The ordinary working hours of a Part-Time Employee will be worked continuously excluding meal breaks and will not be less than 7.6 hours or more than 30.4 hours per week. The number of hours of a Part-Time Employee will be fixed and constant over a weekly period.
- 4.7.3 A Part-Time Employee will be expected to assume an appropriate workload relative to their employment fraction. This workload will include the professional duties and responsibilities carried by full-time employees.
- 4.7.4 A Part-Time Employee will be paid according to their hours of engagement at the same hourly rate as a full-time employee would be paid for performing in the same designation.
- 4.7.5 Annual Increments will be payable to a Part-Time Employee under the same provisions as applicable to a full-time employee provided that an Increment of salary will become due when the Part-Time Employee has completed the equivalent of one year of full-time service.
- 4.7.6 A Part-Time Employee will be entitled to any allowances applicable based *pro rata* on the number of hours worked in relation to the ordinary full-time hours applicable to the Award classification.
- 4.7.7 The public holiday provisions of clause 7.6 of this Award apply to a Part-Time Employee. A Part-Time Employee who usually works on a day of the week on which a public holiday falls, and who is not required to work on that day, will be paid for the hours which would otherwise have been worked on that day.
- 4.7.8 With the exception of bereavement leave, all other leave provision entitlements as apply to full-time employees will apply to Part-Time Employees on a *pro rata* basis based upon the actual number of hours worked per week.
- 4.7.9 In the case of bereavement leave, a Part-Time Employee's entitlement will be the same as that provided to full-time employees. Where the particular circumstances would warrant a full-time employee being granted leave on consecutive days for a short leave of absence, similar consideration will be given to a Part-Time Employee working consecutive days.
- 4.7.10 A Part-Time Employee will be entitled *pro rata* to all other provisions applicable to a full-time employee under this Award.

4.8 Fixed-term employment

- 4.8.1 A Fixed-term Employee will be paid in accordance with their experience and qualifications for the relevant classification and hours of engagement under this Award.
- 4.8.2 All provisions contained in this Award will apply to Fixed-term Employees in accordance with their hours of engagement.

4.9 Trainees

Trainees are engaged under this Award, except as amended from time to time by the Order for *Apprentices' and Trainees' Wages and Conditions (Excluding Certain Queensland Government Entities)*.

4.10 Anti-discrimination

- 4.10.1 It is the intention of the parties to this Award to prevent and eliminate discrimination as defined by the *Anti-Discrimination Act 1991* and the *Industrial Relations Act 1999* which includes:
- (a) discrimination on the basis of sex, relationship status, family responsibilities, pregnancy, parental status, breastfeeding, age, race, impairment, religious belief or religious activity, political belief or activity, trade union activity, lawful sexual activity, gender identity, sexuality and association with, or relation to, a person identified on the basis of the above attributes;
 - (b) sexual harassment; and
 - (c) racial and religious vilification.
- 4.10.2 Accordingly in fulfilling their obligations under either clause 3.1 or 3.2, the parties to this Award must take reasonable steps to ensure that neither the Award provisions nor their operation are directly or indirectly discriminatory in their effects.

4.10.3 Under the *Anti-Discrimination Act 1991* 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.

4.10.4 Nothing in clause 4.10 is to be taken to affect:

- (a) any different treatment (or treatment having different outcomes) which is specifically exempted under the *Anti-Discrimination Act 1991*; or
- (b) an employee, Employer or registered organisation, pursuing matters of discrimination, including by application to the Australian Human Rights Commission/Anti-Discrimination Commission Queensland.

4.11 Incidental and peripheral tasks

4.11.1 The Employer may direct an employee to carry out such duties as are reasonably within the limits of the employee's skill, competence and training:

Provided that such duties are not designed to promote de-skilling.

4.11.2 The Employer may direct an employee to carry out such duties and use such tools and equipment as may be required provided that the employee has been properly trained in the use of such tools and equipment (where relevant).

4.11.3 Any direction issued by an Employer pursuant to clause 4.11 will be consistent with the Employer's responsibilities to provide a safe and healthy working environment.

4.12 Termination of employment

4.12.1 Statement of employment

A Employer will, in the event of termination of employment, provide upon request to the employee who has been terminated a written statement specifying the period of employment and the classification or type of work performed by the employee.

4.12.2 Termination by Employer

- (a) In order to terminate the employment of an employee an Employer will give the following notice:

Period of continuous service	Period of notice
1 year or less	1 week
1 year and up to the completion of 3 years	2 weeks
3 years and up to the completion of 5 years	3 weeks
5 years and over	4 weeks

- (b) In addition to the notice in (a) above, employees 45 years old or over and who have completed at least 2 years' continuous service with the Employer will be entitled to an additional week's notice.

- (c) Payment in lieu of notice will be made if the appropriate notice is not given:

Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

- (d) In calculating any payment in lieu of notice the minimum compensation payable to an employee will be at least the total of the amounts the Employer would have been liable to pay the employee if the employee's employment had continued until the end of the required notice period. The total time must be worked out on the basis of:

- (i) the ordinary working hours to be worked by the employee;
- (ii) the amounts payable to the employee for the hours including for example allowances, loadings and penalties; and
- (iii) any other amounts payable under the employee's employment contract.

- (e) The period of notice in (a) above will not apply in the case of dismissal for misconduct or other grounds that justified instant dismissal, or in the case of casual employees. In such cases the employee will be entitled to their salary and all holiday pay due up to the time of dismissal.

4.12.3 *Notice of termination by employee*

Unless otherwise agreed between the Employer and an employee, the notice of termination required by an employee, other than a Casual Employee, will be 2 weeks or 2 weeks' salary forfeited in lieu. If an employee fails to give notice, the Employer will have the right to withhold monies due to the employee with a maximum amount equal to the amount the employee would have received under clause 4.12.2 for a period of notice of 2 weeks. The notice period cannot be counted as annual leave or part thereof.

4.12.4 *Time off during notice period*

During the period of notice of termination given by an Employer, an employee will be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. This time off may be taken at times that are convenient to the employee after consultation with the Employer.

4.13 Introduction of changes

4.13.1 *Employer's duty to notify*

- (a) Where the Employer decides to introduce changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the Employer will notify the employees who may be affected by the proposed changes and, where relevant, their Union or Unions.
- (b) "Significant effects" include termination of employment, major changes in the composition, operation or size of the employers workforce or in the skills required; the elimination or diminution of job opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of employees to other work or locations and the restructuring of jobs:

Provided that where this Award makes provision for alteration of any of the matters referred to herein an alteration will be deemed not to have significant effect.

4.13.2 *Employer's duty to discuss change*

- (a) The Employer will consult the employees affected and, where relevant, their Union or Unions about the introduction of the changes, the effects the changes are likely to have on employees (including the number and categories of employees likely to be dismissed, and the time when, or the period over which, the Employer intends to carry out the dismissals), and the ways to avoid or minimise the effects of the changes (e.g. by finding alternative employment).
- (b) The consultation must occur as soon as practicable after making the decision referred to in clause 4.13.1.
- (c) For the purpose of such consultation the Employer will provide in writing to the employees concerned and, where relevant, their Union or Unions, all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on employees, and any other matters likely to affect employees:

Provided that an Employer will not be required to disclose confidential information, the disclosure of which would be adverse to the Employer's interests.

4.14 Redundancy

The provisions of clause 4.14 will not apply to extent that the provisions of the redundancy arrangements are contained in a Directive issued by the Minister responsible for industrial relations pursuant to section 54 of the *Public Service Act 2008*, where the Directive provides for entitlements that are superior to clause 4.14.

4.14.1 *Consultation before terminations*

- (a) Where the Employer decides that the Employer no longer wishes the job the employee has been doing to be done by anyone, and this is not due to the ordinary and customary turnover of labour, and that decision may lead to termination of employment, the Employer will consult the employee directly affected and where relevant, their Union or Unions.
- (b) The consultation will take place as soon as it is practicable after the Employer has made a decision, which will invoke the provisions of clause 4.14.1(a) and will cover the reasons for the proposed terminations, measures to avoid or minimise the terminations and/or their adverse effects on the employees concerned.
- (c) For the purpose of the consultation the Employer will, as soon as practicable, provide in writing to the employees concerned and, where relevant, their Union or Unions, all relevant information about the proposed

terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected, the number of workers normally employed and the period over which the terminations are likely to be carried out:

Provided that the Employer will not be required to disclose confidential information, the disclosure of which would be adverse to the Employer's interests.

4.14.2 *Transfer to lower paid duties*

- (a) Where the employee is transferred to lower paid duties for reasons set out in clause 4.14.1 the employee will be entitled to the same period of notice of transfer as the employee would have been entitled to if the employee's employment had been terminated under clause 4.12.
- (b) The Employer may, at the Employer's option, make payment in lieu thereof of an amount equal to the difference between the former amounts the Employer would have been liable to pay and the new lower amount the Employer is liable to pay the employee for the number of weeks of notice still owing.
- (c) The amounts must be worked out on the basis of:
 - (i) the ordinary working hours to be worked by the employee; and
 - (ii) the amounts payable to the employee for the hours including for example, allowances, loadings and penalties; and
 - (iii) any other amounts payable under the employee's employment contract.

4.14.3 *Transmission of business*

- (a) Where a business is, whether before or after the date of insertion of clause 4.14 in the Award transmitted from an Employer (transmittor) to another Employer (transmittee), and an employee who at the time of such transmission was an employee of the transmittor of the business, becomes an employee of the transmittee:
 - (i) the continuity of the employment of the employee will be deemed not to have been broken by reason of such transmission; and
 - (ii) the period of employment which the employee has had with the transmittor or any prior transmittor will be deemed to be service of the employee with the transmittee.
- (b) In clause 4.14.3, "business" includes trade, process, business or occupation and includes a part or subsidiary (which means a corporation that would be taken to be a subsidiary under the Corporations Law, whether or not the Corporations Law applies in the particular case) of any such business and "transmission" includes transfer, conveyance, assignment or succession whether by agreement or by operation of law and "transmitted" has a corresponding meaning.

4.14.4 *Time off during notice period*

- (a) Where a decision has been made to terminate an employee in the circumstances outlined in clause 4.14.1, the employee will be allowed up to one day's time off without loss of pay during each week of notice for the purpose of seeking other employment.
- (b) If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment, the employee will, at the request of the Employer, be required to produce proof of attendance at an interview or the employee will not receive payment for the time absent. For this purpose a statutory declaration will be sufficient.

4.14.5 *Notice to Centrelink*

Where a decision has been made to terminate employees in the circumstances outlined in clause 4.14.1, the Employer will notify Centrelink as soon as possible giving all relevant information about the proposed terminations, including a written statement of the reasons for the terminations, the number and categories of the employees likely to be affected, the number of workers normally employed and the period over which the terminations are intended to be carried out.

4.14.6 *Severance pay*

- (a) In addition to the period of notice prescribed for ordinary termination in clause 4.12.2(a), and subject to further order of the Commission, an employee whose employment is terminated for reasons set out in clause 4.14.1(a), will be entitled to the following amounts of severance pay:

Period of Continuous Service	Severance Pay (weeks' pay)
Less than 1 year	nil
1 year but not more than 2 years	4
More than 2 years but not more than 3 years	6
More than 3 years but not more than 4 years	7
More than 4 years but not more than 5 years	8
More than 5 years but not more than 6 years	9
More than 6 years but not more than 7 years	10
More than 7 years but not more than 8 years	11
More than 8 years but not more than 9 years	12
More than 9 years but not more than 10 years	13
More than 10 years but not more than 11 years	14
More than 11 years but not more than 12 years	15
More than 12 years	16

(b) "Weeks' Pay" means the ordinary time rate of pay for the employee concerned:

Provided that the following amounts are excluded from the calculation of the ordinary time rate of pay: overtime, penalty rates, disability allowances, shift allowances, special rates, fares and travelling time allowances, bonuses and any other ancillary payments.

4.14.7 *Superannuation benefits*

The Employer may make an application to the Commission for relief from the obligation to make severance payments in circumstances where:

- (a) the Employer has contributed to a superannuation scheme which provides a particular benefit to an employee in a redundancy situation; and
- (b) the particular benefit to the employee is over and above any benefit the employee might obtain from any legislative scheme providing for superannuation benefits (currently the federal Superannuation Guarantee levy) or an award based superannuation scheme.

4.14.8 *Employee leaving during notice*

An employee whose employment is terminated for reasons set out in clause 4.14.1(a), may terminate such employment during the period of notice, and, if so, will be entitled to the same benefits and payments under clause 4.14 had such employee remained with the Employer until the expiry of such notice:

Provided that in such circumstances the employee will not be entitled to payment in lieu of notice.

4.14.9 *Alternative employment*

An Employer, in a particular case, may make application to the Commission to have the general severance pay prescription amended if the Employer obtains acceptable alternative employment for an employee.

4.14.10 *Employees with less than one year's service*

Clause 4.14 will not apply to employees with less than one year's continuous service and the general obligation on Employers should be no more than to give relevant employees an indication of the impending redundancy at the first reasonable opportunity, and to take such steps as may be reasonable to facilitate the obtaining by the employees of suitable alternative employment.

4.14.11 *Employees exempted*

Clause 4.14 will not apply:

- (a) where employment is terminated as a consequence of misconduct on the part of the employee; or
- (b) to employees engaged for a specific period or task(s); or
- (c) to casual employees.

4.14.12 *Employers exempted*

Subject to an order of the Commission, in a particular redundancy case, clause 4.14 will not apply to an Employer that employs employees working a total of fewer than 550 hours on average per week, excluding overtime, Monday to Sunday. The 550 hours shall be averaged over the previous 12 months.

4.14.13 *Exemption where transmission of business*

- (a) The provisions of clause 4.14.6 are not applicable where a business is before or after the date of the insertion of this clause into the Award, transmitted from an Employer (transmittor) to another Employer (transmittee), in any of the following circumstances:
- (i) where the employee accepts employment with the transmittee which recognises the period of continuous service which the employee had with the transmittor, and any prior transmittor, to be continuous service of the employee with the transmittee; or
 - (ii) where the employee rejects an offer of employment with the transmittee:
 - (A) in which the terms and conditions are substantially similar and no less favourable, considered on an overall basis, than the terms and conditions applicable to the employee at the time of ceasing employment with the transmittor; and
 - (B) which recognises the period of continuous service which the employee had with the transmittor and any prior transmittor to be continuous service of the employee with the transmittee.
- (b) The Commission may amend clause 4.14.13(a)(ii) if it is satisfied that it would operate unfairly in a particular case, or in the instance of contrived arrangements.

4.14.14 *Incapacity to pay*

The Employer in a particular redundancy case may make application to the Commission to have the general severance pay prescription amended on the basis of the Employer's incapacity to pay.

4.15 **Recognition of previous service**

Recognition of previous service by an employee engaged by the Employer will be in accordance with the provisions outlined in the Recognition of Previous Service and Employment Directive issued under s. 54 of the *Public Service Act 2008*.

PART 5 - WAGES AND WAGE RELATED MATTERS

5.1 Salaries

5.1.1 Salary rates payable to employees engaged under this Award in the Administrative, Professional, Technical, Operational Streams and Nurses are prescribed in Schedule 1.

5.1.2 *Salary rates - Instructional Staff*

The following scale of minimum salaries will apply to Instructional Staff:

Salary Step	Classification	Salary Per fortnight \$
1	Assistant Instructor	2,119.90
2		2,159.20
3	Instructor Level 1	2,352.80
4		2,458.70
5		2,564.40
6		2,672.00
7	Instructor Level 2	2,781.80
8		2,890.90
9	Senior Instructor	3,001.00
10		3,073.70
11		3,147.30
12		3,220.30

The rates of pay in this Award include notional rates from the Australian Agricultural College Employing Office Certified Agreement 2007 effective from 1 October 2008 and based on the new classification structure introduced in the Australian Agricultural College Employing Office Certified Agreement 2009. The rates of pay in this Award are

intended to include the arbitrated wage adjustment payable under the 1 September 2012 Declaration of General Ruling and earlier Safety Net Adjustments and arbitrated wage adjustments. This arbitrated wage adjustment may 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 payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, award amendments to give effect to enterprise agreements and overaward arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases made under previous State Wage Cases or under the current Statement of Policy, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated wage adjustments.

5.1.3 *Appointment and Progression - Instructional Staff*

- (a) Subject to the approval by the College Director of individual appointments, the following minimum conditions shall apply to the appointment of Instructors:
- (i) Assistant Instructor Appointment Point - Requirements - A Certificate IV in Training and Assessment (or equivalent) and a vocational qualification or demonstrated competencies and experience appropriate to the position (i.e. at or above the level of the competencies to be delivered). Where the candidate does not have the Certificate IV in Training and Assessment it must be obtained within the 6 month probation period and at the candidate's expense.
 - (ii) Instructor Level 1 Salary Progression/Appointment Point - Requirements - Progression requires 12 months service plus specified instructional and vocational qualifications and experience required before progression to Step 3. The minimum instructional qualification is the Certificate IV in Training and Assessment (or equivalent) and the minimum vocational qualification a Certificate IV (or equivalent) in a field relevant to the instructional role.
 - (iii) Instructor Level 2 Salary Progression/Appointment Point - Requirements - Progression requires specified instructional and vocational qualifications. The minimum instructional qualification is the Diploma in Training and Assessment (or equivalent) and the vocational qualification a relevant Degree (or a postgraduate/vocational graduate certificate) in a relevant field.
 - (iv) Senior Instructor Salary Progression/Appointment Point - Requirements - Progression requires 12 months service at Step 9 and written undertaking to perform additional duties/teaching excellence/leadership role.
- (b) Except as otherwise provided in this Award, progression from one salary step to a higher salary step shall be by annual increments on satisfactory performance.
- (c) Providing all the mandatory salary progression/appointment point requirements have been met, a candidate may negotiate an appropriate step within the applicable appointment range based on relevant experience.

5.1.4 *Appointment and Progression - Senior Instructor*

- (a) Instructors on Step 9 of the salary scale may elect to progress to Senior Instructor following the required 12 months service at Step 9 and written undertaking to perform additional duties/teaching excellence/leadership role.
- (b) The minimum instructional qualification to progress to Senior Instructor is the Diploma in Training and Assessment (or equivalent) and the vocational qualification a relevant Degree (or a postgraduate/vocational graduate certificate) in a relevant field.
- (c) The additional duties expected of a Senior Instructor may include:
- Leadership in teaching practice;
 - Teacher plus team leadership;
 - Mentoring (teachers/tutors);
 - Industry liaison work;
 - Accountability (delegation of financial or staffing);
 - Marketing (development of promotional strategies);
 - Performance of high level duties of a critical nature to the business provided that these duties are not those expected of Directors;
 - International projects/business.
- (d) The list of additional duties is meant to be indicative only and does not provide an exhaustive list, however the allocation of additional duties will demonstrate the improvement of teaching practice through leadership and mentoring as the highest of the above listed priorities.

- (e) Except as otherwise provided in this Award, progression from one salary step to a higher salary step shall be by annual increments on satisfactory performance.
- (f) Providing all the mandatory salary progression/appointment point requirements have been met, a candidate may negotiate an appropriate step within the applicable appointment range based on relevant experience.
- (g) Should a Senior Instructor fail to meet their undertaking they shall be made subject to a review of their duties and classification which includes assessment of factors impacting on the ability of the Senior Instructor to achieve undertakings. Such a review may consider a re-allocation of duties or a removal of the Senior Instructor classification whereby the employee would return to Step 9.
- (h) There will be no quotas to limit the number of Senior Instructors.

5.2 Payment of wages

Salaries will be paid fortnightly and may at the discretion of the Employer be paid by electronic funds transfer.

5.3 Generic level statements

5.3.1 Generic Level Statements for each of the Classification Levels in the Administrative, Professional, Technical and Operational Streams are prescribed in Schedule 2 of this Award. These statements reflect the degree of complexity and responsibility of duties, skills and knowledge proceeding from the lowest to the highest Classification Levels. Their purpose is to provide an indication as to the Classification Level appropriate to any packaging of duties.

5.3.2 Generic Level Statements relating to the classifications of Level 1 and 2 Registered Nurses are prescribed in Schedule 3 of this Award.

5.4 Stream allocation

Allocation to the Administrative, Professional, Technical and Operational Streams includes the occupational groupings as prescribed in Schedule 4 of this Award.

5.5 Job evaluation

In respect to positions in the Administrative, Professional, Technical and Operational Streams, the Employer will use the same job evaluation methodology as is prescribed by the Recruitment and Selection Directive issued under s. 54 of the *Public Service Act 2008*.

5.6 Work allocation

An employee, having been appointed to or relieving in a position within a Classification Level in either the Administrative, Professional, Technical or Operational Streams may be allocated and subsequently reallocated to any position within that particular Classification Level.

5.7 Qualifications

An employee appointed to the Administrative Stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the Employer will be paid not less than Classification Level 2, Paypoint (7).

5.8 Movement between classification levels

5.8.1 Movement between Classification Levels will be based on appointment on merit to advertised vacancies. This provision will not apply to movement between Levels 1 and 2 of the Administrative Stream where annual Increments will continue to apply in accordance with the relevant provisions of clause 5.9.

Provided that:

- (a) Every employee upon attaining the age of 21 years shall be paid except on promotion or otherwise prescribed the specific age 21 salary as indicated within the various streams.
- (b) New employees and employees appointed to Level 1 of the Technical Stream, having obtained the prerequisite qualifications, will be appointed to the minimum rate prescribed in Level 2 of such Stream.
- (c) New employees and employees who were appointed to Level 1 of the Professional Stream having obtained the prerequisite qualifications, will be appointed to Level 2 of such Stream and commence at the Paypoints as set out hereunder:

3 year qualification	Paypoint (1)
4 year qualification	Paypoint (2)
5 year qualification	Paypoint (3)

- (d) Employees appointed to Level 2 of the Professional Stream, who possess qualifications higher than the minimum prerequisite qualifications e.g. Honours, Masters and Doctorates and who do not possess any relevant work experience, will commence at the paypoints as set out hereunder:

4 year qualification	Paypoint (2)
5 year qualification	Paypoint (3)
6 year qualification	Paypoint (4)
7 year qualification	Paypoint (5)
8 year qualification	Paypoint (6)

Where such employees possess relevant work experience, such experience will be taken into account in accordance with clause 4.15 in addition to the above in determining starting salary to a maximum of Paypoint (6).

- (e) Positions at Level 3 within the Professional and Technical Streams will be created by the Chief Executive as necessary upon the value of the work undertaken.
- (f) Movement of employees from Level 2 to Level 3 within the Professional and Technical Streams will be subject to:
- the employee concerned having served at least 12 months on the maximum salary prescribed for a Level 2 employee;
 - a recommendation from a Selection Panel established in accordance with the principles of merit, that the applicant is worthy of promotion. The merit of the applicant is to be evaluated in relation to the prescribed criteria through:
 - (i) an assessment of a written application from the applicant; and
 - (ii) an interview of the applicant; and
 - (iii) a certificate from the Director of the College in which the employee is working or a senior employee knowledgeable in the employee's capabilities that the employee is worthy of promotion based on assessment of the employee addressing the prescribed criteria.
- (g) Subject to clause 5.10 an employee promoted to a position at a higher Classification Level within the same stream will be appointed to Paypoint one of that higher Classification Level.
- (h) A person not previously an employee who is appointed to a position may be appointed to any Paypoint within a level, based on recognition of skills, knowledge and abilities.

5.8.2 *Prescribed Criteria for Movement: Professional Stream*

Applicants for movement within the Professional Stream from Level 2 to Level 3 will be assessed by the Selection Panel on the following criteria:

- (a) Demonstrated professional expertise in one or more areas of a discipline as shown by:
- (i) detailed knowledge of standard professional tasks;
 - (ii) examples of modifications to standard procedures and practices and contributions to the development of new techniques and methodologies; and/or
 - (iii) professional contribution relevant to the discipline at a local level.
- (b) Possession of postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.
- (c) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
- (i) original in-service presentations;
 - (ii) published papers;

- (iii) active involvement in conferences and seminars;
 - (iv) consultancies;
 - (v) recognition as a resource person who collects, collates and imparts knowledge in a particular area; and/or
 - (vi) preparation of significant internal reports.
- (d) Demonstrated levels of performance and innovation through:
- (i) a history of satisfactory performance;
 - (ii) demonstrated high levels of efficiency and effectiveness; and /or
 - (iii) demonstrated high level of responsibility and initiative.

5.8.3 *Prescribed Criteria for Movement: Technical Stream*

Applicants for movement within the Technical Stream from Level 2 to Level 3 will be assessed by the Selection Panel on the following criteria:

- (a) Demonstrated technical expertise in one or more areas of a discipline as shown by:
- (i) detailed technical knowledge and experience;
 - (ii) high levels of accuracy and precision in undertaking procedures; and/or
 - (iii) technical contribution at a local level.
- (b) Possession of higher technical qualifications or developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.
- (c) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
- (i) original in-service presentations;
 - (ii) published papers;
 - (iii) active involvement in conferences and seminars;
 - (iv) consultancies;
 - (v) recognition as a resource person who collects, collates and imparts technical knowledge in a particular area; and/or
 - (vi) preparation of significant internal reports.
- (d) Demonstrated levels of performance and innovation through:
- (i) a history of satisfactory performance;
 - (ii) demonstrated high levels of efficiency and effectiveness; and/or
 - (iii) demonstrated high level of responsibility and initiative.

5.9 Movement within classification levels

5.9.1 Movement within classification levels is based on meeting the following requirements:

- (a) Except in the case of an employee who is paid the prescribed basic salary on attaining the age of 21 years or in the case of a promotion, or transfer and promotion from one Classification Level to another, an increase is not to be made to the salary of any employee until:

- (i) in the case of a full-time employee, the employee has received a salary at a particular classification and Paypoint for a period of 12 months.
 - (ii) in the case of a Part-Time Employee such employee has received such salary for the equivalent of 12 months full-time service.
- (b) No employee will be entitled to receive annual salary Increments by virtue of this provision unless:
- (i) in the case of employees in levels 1 and 2 of the Administrative, Professional and Technical Streams and levels 1, 2 and 3 of the Operational Stream, the conduct, diligence and efficiency of the employee has been certified by the Employer to have been and to be satisfactory;
 - (ii) in the case of employees in all other classification levels, performance objectives have been achieved as certified by the Employer.
- (c) If any Increment prescribed by this Award is withheld from or refused to be granted to any employee, an appeal by the employee may be pursued in accordance with clause 3.2 of this Award.

5.10 Performance of higher duties

An employee appointed to a specified Classification Level and who performs work at a higher Classification Level as prescribed by this Award will be entitled to the payment for higher duties on the same conditions as are prescribed by the Higher Duties Directive issued under s. 54 of the *Public Service Act 2008*.

5.11 Allowances

5.11.1 Meal allowance

Employees will be entitled to be paid a meal allowance as prescribed by the Overtime Meal Allowances Directive issued and amended by the Minister responsible for industrial relations under s. 54 of the *Public Service Act 2008*.

5.11.2 Locality allowance

Locality allowances at the rates and on the conditions set out in the Locality Allowances Directive as issued and amended by the Minister responsible for industrial relations under s. 54 of the *Public Service Act 2008* will apply to the employees or classes of employees whose salaries are prescribed by this Award.

5.11.3 Travelling allowance

Rates or payment in relation to travel and other legitimate expenses incurred by employees whilst absent from the College on approved College business will be in accordance with schedules advised from time to time by the employer. In general, actual and reasonable expenses incurred will be refunded by the employer on receipt of a properly completed claim form for the purpose. No allowance will be paid for the use of private vehicles unless prior written approval has been given.

5.12 Superannuation

Subject to federal legislation, the employer must comply with superannuation arrangement prescribed in the *Superannuation (State Public Sector) Act 1990* (and associated Deed, Notice and Regulation).

Where federal legislation provides for choice of fund rights to an employee subject to this Award, and that employee fails to elect which superannuation fund to which employer contributions are directed, the employer will direct contributions to such fund as prescribed by the abovementioned Queensland legislation.

PART 6 - HOURS OF WORK, BREAKS, OVERTIME, SHIFT WORK, WEEKEND WORK

6.1 Hours of work

6.1.1 Instructional staff and Nursing staff

- (a) The ordinary hours of work will be an average of 38 hours per week and will be worked between the hours of 6.00 a.m. and 9.00 p.m. on the following basis:
 - (i) 38 hours within a work cycle not exceeding 7 consecutive days; or
 - (ii) 152 hours within a work cycle not exceeding 28 consecutive days.
- (b) All employees will be allowed 2 whole consecutive days off in each week of 7 days:

Provided that where it is mutually agreed between the College and the employee any variation up to 8 days off in the case of a work cycle over a 4 week period will be allowable in lieu of the 2 days per week.

6.1.2 *Other staff*

- (a) The ordinary hours of work of all other categories of staff will be 38 hours per week and will be worked between the hours 6.00 a.m. and 9.00 p.m., Monday to Friday:
- (b) Where the Employer and the employee/s mutually agree, the spread of daily hours may be altered.
- (c) All employees will receive 2 consecutive days off duty each week where practicable.

6.1.3 The ordinary hours of work, excluding meal breaks, will not exceed 10 hours per day.

6.1.4 Attendance at staff meetings will not count as work time.

6.2 Meal breaks

Employees will not be required to work for more than 5 hours without being allowed an unpaid break of at least one-half of an hour.

6.3 Rest pauses

Where practicable, employees are entitled to a pause(s) totalling at least 20 minutes per day to be taken at time(s) to suit operational requirements as determined by the Employer.

6.4 Overtime

6.4.1 Except as provided in clause 6.4 all overtime shall be compensated on the basis of equivalent time-off-in-lieu (TOIL).

6.4.2 Staff are to have reasonable access to utilising accrued TOIL. Where possible and practicable, staff are to be afforded the opportunity to utilise TOIL before accruals are in excess of the limit as specified by AACC Working Hours policy (but shall not exceed 228 hours) or within 12 months of accrual.

Accrual of TOIL in excess of the specified limit or if it is not utilised within 12 months of accrual are generally undesirable and managers and employees have a responsibility to manage TOIL in such a way as to prevent such accruals occurring, unless by prior approval or in exceptional circumstances.

Payment for accrued TOIL at ordinary rates may occur at the employee's election in the following circumstances:

- (a) for accrued TOIL in excess of the specified limit; or
- (b) where accrued TOIL is not utilised within 12 months of its date of accrual:

Provided that payment is subject to both an employee having taken reasonable steps to avoid excessive TOIL balances; and the employee having been refused an application to take such time off.

6.4.3 Employees may elect to receive payment for any authorised overtime worked in excess of ordinary hours on any day, instead of time off in lieu, provided such election is made prior to the working of the authorised overtime.

Such overtime shall be paid for at the rate of time and a-half for the first 3 hours and double time thereafter. Provided that such overtime worked on a Sunday shall be paid for at the rate of double time.

Overtime shall be calculated to the nearest quarter of an hour in the total amount of time in respect to which overtime is claimed by an employee. A minimum payment of 2 hours work shall apply to all overtime worked on a Saturday or Sunday, provided that such minimum shall not apply where such overtime is performed immediately preceding and/or following ordinary hours of work.

6.4.4 *Fatigue leave*

- (a) An employee who works so much overtime between the termination of ordinary work on one day and the commencement of ordinary work on the next day so that 10 consecutive hours off duty has not occurred, shall be released after completion of such overtime until 10 consecutive hours off duty occur, without loss of pay for ordinary working time occurring during such absence. If on the instructions of the Chief Executive, such an employee resumes or continues work without having had 10 consecutive hours off duty, the employee shall be paid double rates until released from duty for such period, and shall then be entitled to be

absent until 10 consecutive hours off duty has occurred, without loss of pay for ordinary working time occurring during such absence.

- (b) Clause 6.4.4 does not apply to employees who reside or remain on or about their place of work and are required to perform duties on an intermittent basis outside their ordinary hours of duty.

6.5 Overtime meal breaks

Where employees are required to work beyond their normal programmed working hours and the working of such time does not allow them to return to their homes or lodgings for a meal will be paid a meal allowance as prescribed in clause 5.11.1 or be provided with a meal of reasonable quality and adequate quantity in lieu of payment of the appropriate allowance.

6.6 On call provisions

6.6.1 Where an employee is instructed to be available on call outside ordinary or rostered working hours, the employee will be paid, in addition to their ordinary rate of pay an allowance based upon the hourly rate of the classification of Professional Officer level 3, paypoint 4 in accordance with the following scale:

- (a) Where the employee is on call throughout the whole of a rostered day off, an accrued day off or a public holiday - 95% of the hourly rate in respect of such instances;
- (b) Where an employee is on call during the night only of a rostered day off, an accrued day off or public holiday - 60% of the hourly rate per night; and
- (c) Where an employee is on call on any other night - 47.5% of the hourly rate per night. For the purpose of calculating the hourly rate, the divisor shall be based upon a 38 hour week and calculated to the nearest 5c.

For the purpose of this provision, a "night" shall be deemed to consist of those hours falling between 5.00 p.m. and 8.00 a.m. or mainly between such hours. "Rostered day off" includes the 2 days in 7 not part of ordinary working hours, e.g. Saturday and Sunday for employees whose ordinary working days are Monday to Friday.

6.6.2 Monday to Friday - in the event of an employee on call being recalled to perform duty, such employee shall be paid for the time worked at the prescribed overtime rate, such time to be calculated as from home and back to home with a minimum payment of 2 hours.

6.6.3 Saturday, Sunday and public holidays - an employee performing overtime work on recall on Saturday, Sunday or a Public Holiday may be paid for such overtime at the appropriate overtime rate with a minimum of 2 hours inclusive of travelling time, in respect of overtime worked on a Saturday or Sunday and 4 hours in respect of overtime worked on a public holiday, or at the employee's option be granted time off at a mutually convenient time, equivalent to the number of hours worked. Such time to be calculated as from home and back to home:

Provided that an employee who works overtime on a public holiday and who is granted equivalent time off shall be paid at half the ordinary rate for the time so worked with a minimum of 4 hours:

Provided further that accrued time off in lieu shall be taken in periods mutually agreed between the Chief Executive Officer and the employee.

6.6.4 Employees on call who undertake duties without the need to leave the employee's place of residence shall be entitled to the following:

- (a) Where providing advice, referring callers to other staff or organisations, taking details of complaints/incidents for resolution during ordinary hours or directing other staff to attend an incident (normally no greater than 10 minutes for each occurrence) - payment at the prescribed overtime rate for the actual time worked up to a maximum of 2 hours on any one day, provided that where at least 4 calls in this category are taken between 10.00 p.m. and 6.00 a.m., such calls shall be deemed to constitute a minimum of one hour's work;
- (b) Where undertaking normal duties (e.g. correcting/resolving faults via internet, making and receiving phone calls in order to manage an incident other than provided for in (i) above) payment at the prescribed overtime rate for actual time worked with a minimum payment of one hour for each time the employee performs such duties:

Provided that should such employee be recalled again to perform duties separately within the minimum one hour period, no further payment shall apply.

Provided that the employee will be responsible for the recording of such requests which will require subsequent verification by the Chief Executive Officer.

6.6.5 Any overtime payable shall be in addition to the on call allowance.

- 6.6.6 Where an employee is recalled to perform work during an off duty period such employee shall be provided with transport to and from the employee's home, or be refunded the cost of such transport.
- 6.6.7 Where practicable the Chief Executive shall not require an employee to be continuously available on call for a period in excess of 6 weeks.
- 6.6.8 On call arrangements will be implemented by agreement between the Chief Executive, the majority of affected employees, and the relevant union. Agreement to implement on call arrangements shall not be unreasonably refused.

6.7 Flexible working hours arrangements

The employer will implement flexible working hours arrangements on finalisation of the Working Hours policy. The policy will be based on the following principles:

- (a) Employees may access flexible working hours arrangements only where it is feasible and practical to do so with regard to service delivery and training scheduling.
- (b) Flexible working hours arrangements may be implemented at a work unit level, tailored to meet the operational and client service needs of the organisation. Such work unit arrangements are to be in accordance with AACC Policy and in writing.
- (c) Employees will have access to accrued time at part-days or whole days, subject to operational requirements and by mutual agreement between the employee and their manager.
- (d) All employees will give first priority to the maintenance of acceptable work flows and ensure that cooperation exists with supervisors in planning office working times in order that resources are available to service the needs of the College and clients.
- (e) An employee may not perform accrued time unless work is allocated for the employee to perform and is performed during such period.
- (f) Where an employee's time management is deemed to be unsatisfactory, the Chief Executive may withdraw access to flexible working hours arrangements and direct the employee to work standard hours.

PART 7 - LEAVE OF ABSENCE AND PUBLIC HOLIDAYS

7.1 Leave generally

- 7.1.1 Where an employee has an entitlement to any type of leave, that leave always will be subject to the exigencies of the College and the taking of such leave will be subject to the approval of the Employer.
- 7.1.2 The Employer may, if College circumstances so require:
- (a) direct an employee to take annual leave upon that employee having accrued the maximum accumulation permitted under clause 7.2.2;
 - (b) recall an employee from annual, long service or special leave; or
 - (c) cancel the approval of granting of any annual, long service or special leave or defer the taking of that leave.
- 7.1.3 Where an employee is recalled from annual or long service leave by the Employer or such leave is cancelled or deferred, an employee will, by mutual agreement between the Employer and the employee, be allowed to take such leave at the earliest opportunity.

7.2 Annual leave

7.2.1 Annual leave entitlement

The entitlements for annual leave including half pay annual leave are prescribed in the Recreation Leave Directive as issued and amended by the Minister responsible for industrial relations in accordance with s. 54 of the *Public Service Act 2008*.

7.2.2 Mandatory closedown

- (a) The entitlements for Christmas/New Year closedown are prescribed in the Recreation Leave Directive as issued and amended by the Minister responsible for industrial relations in accordance with s. 54 of the *Public Service Act 2008*.
- (b) In accordance with the Australian Agricultural Colleges Corporation TOIL Policy, staff shall be afforded the opportunity to work additional time throughout the year for use during the Christmas/New Year closedown period.
- (c) The employer reserves the right to designate mandatory closures during vacation periods during which employees will access accrued leave. Where employees do not have sufficient annual leave accrued for taking during mandatory closures, the employer may elect to grant annual leave in advance or come to a mutual arrangement on a case-by-case basis. The employer may elect to exempt specific employees from a mandatory closure for purposes of facilities management, etc. Where practicable, at least 6 months' notice of a mandatory closure is to be provided.

7.3 Sick leave

7.3.1 Sick leave entitlement

Every full-time employee will become entitled to 76 hours' sick leave on full pay for each completed year of employment and a proportionate amount for an incomplete year of service.

7.3.2 Sick leave accumulation

- (a) An employee's entitlements to sick leave will be cumulative.
- (b) All sick leave accumulated or accrued by any employee as at 3 July 1995 will be credited on the basis of a 38 hour week and rates of pay applicable to such leave will be calculated on the basis of a 38 hour divisor.

Consequently credits will be converted as follows:

if in weeks x 38 hours;
if in days x 7.6 hours.

7.3.3 Sick leave debits

Sick leave debits will be equivalent to the ordinary hours employees would have worked had they not been on paid leave. Such leave will therefore be paid and debited on the basis of hours actually taken, rounded to the nearest half an hour.

7.3.4 Applying for sick leave

- (a) An employee will not be entitled to paid sick leave unless an application in writing by or on behalf of the employee is submitted for every absence for which sick leave is sought. Each application is to be supported by a certificate from a medical practitioner stating:
 - (i) the nature of the illness; and
 - (ii) the period or approximate period for which sick leave is necessary.
- (b) The Employer may dispense with the medical certificate where the absence does not exceed 3 consecutive working days.
- (c) A dental certificate may be accepted in lieu of a medical certificate.

7.4 Long service leave

The entitlements for long service leave including half pay long service leave and minimum period of leave are prescribed in the Long Service Leave Directive as issued and amended by the Minister responsible for Industrial Relations in accordance with s. 54 of the *Public Service Act 2008*.

7.5 Bereavement leave

Employees engaged under this Award will be entitled to bereavement leave on the same conditions as are prescribed by the Bereavement Leave Directive issued under s. 54 of the *Public Service Act 2008*.

7.6 Family leave

7.6.1 The provisions of the *Family Leave (Queensland Public Sector) Award - State 2012* (including carer's leave) apply.

7.6.2 An employee's entitlements to family leave include:

- (a) Maternity leave;
- (b) Spousal leave;
- (c) Adoption leave;
- (d) Surrogacy leave;
- (e) Part-time work;
- (f) Carer's leave;
- (g) Bereavement leave; and
- (h) Cultural leave.

The entitlements for paid family leave are contained in the Paid Parental Leave Directive as issued and amended by the Minister responsible for Industrial Relations in accordance with s. 54 of the *Public Service Act 2008*.

7.7 Public holidays

7.7.1 Prescribed public holidays

All ordinary time worked by an employee on the following public holidays or any day appointed under the *Holidays Act 1983*, to be kept in place of any of the listed holidays, will be paid for at the rate of 2 and a-half times the employee's ordinary rate with a minimum payment of 4 hours:

- the 1st January;
- the 26th January;
- Good Friday;
- Easter Saturday (the day after Good Friday);
- Easter Monday;
- the 25th April (Anzac Day);
- The Birthday of the Sovereign;
- Christmas Day;
- Boxing Day; or

7.7.2 Labour Day

All employees (other than casual employees) covered by this Award will be entitled to be paid a full day's wage for Labour Day (the first Monday in May or other day appointed under the *Holidays Act 1983*, to be kept in place of that holiday), irrespective of the fact that no work may be performed on that day.

Where an employee actually works on Labour Day, the employee will be paid in addition, a payment for the time actually worked between the normal starting and finishing times at one and a-half times the ordinary rate prescribed for the work with a minimum of 4 hours.

7.7.3 Annual show

All work done by employees in a district specified from time to time by the Minister by notification published in the Gazette on the day appointed under the *Holidays Act 1983*, to be kept as a holiday in relation to the annual agricultural, horticultural or industrial show held at the principal city or town, will be paid for at 2 and a-half times the employee's ordinary rate with a minimum payment of 4 hours.

7.7.4 Double time and a-half

For the purposes of clause 7.7, where the rate of wages is a weekly rate, "2 and a-half times" means one and one-half day's wages in addition to the prescribed weekly rate, or *pro rata* if there is more or less than a day.

7.7.5 Substitution of public holidays

Where there is agreement between the majority of employees concerned and the Employer, and subject to statutory limitations, other ordinary working days may be substituted for the public holidays specified in clause 7.7. Where an employee is subsequently required to work on such substituted day, the employee will be paid the rate applicable for the holiday that has been substituted.

7.7.6 Time in lieu of payment for work on public holidays

In lieu of the additional one and a-half days salary for work performed on any of the holidays listed in clauses 7.7.1 or 7.7.3, where it is mutually agreed upon between the Employer and the employee, an equivalent one and a half days will

be granted on the basis of time off in lieu to be taken as soon as practical after the public holiday or alternatively added to accrued annual leave.

7.8 Jury service

- (a) An employee, other than a casual employee, required to attend for jury service during their ordinary working hours shall be reimbursed by the employer an amount equal to the difference between the amount paid in respect of their attendance for such jury service and the ordinary pay the employee would have been paid if the employee was not absent on jury service.
- (b) Alternatively, by agreement, fees (other than meal allowance) received by the employee to attend jury service will be paid to the employer and the employer will continue to pay the employee their ordinary pay for the time the employee was absent on jury service.
- (c) Employees shall notify their employer as soon as practicable of the date upon which they are required to attend for jury service and shall provide their employer with proof of such attendance, the duration of such attendance and the amount received in respect thereof.
- (d) If the employee is not required to serve on a jury for a day or part of a day after attending for jury service and the employee would ordinarily be working for all or part of the remaining day, the employee must, if practicable, present for work at the earliest reasonable opportunity.
- (e) "Ordinary pay" means the rate of pay that an employee would normally expect to receive for working ordinary hours on an ordinary day of the week, including any over-award payment. "Ordinary pay" excludes overtime, penalty rates of all types - including those attaching to working ordinary hours (for example) on a Saturday, disability allowances, shift allowances, special rates, fares and travelling time allowances, bonuses and other ancillary payments of a like nature.

PART 8 - TRANSFERS, TRAVELLING AND WORKING AWAY FROM USUAL PLACE OF WORK

8.1 Travelling and relieving expenses

The conditions and entitlements for travelling and relieving expenses are prescribed in the Domestic Travelling and Relieving Expenses and the International Travelling, Relieving and Living Expenses Directives in accordance with s. 54 of the *Public Service Act 2008*.

8.2 Transfer and appointment expenses

The Transfer and Appointment Expenses Directive as issued and amended by the Minister responsible for Industrial Relations in accordance with s. 54 of the *Public Service Act 2008* shall apply.

PART 9 - TRAINING AND RELATED MATTERS

9.1 Training, learning and development

9.1.1 The parties to this Award recognise that in order to increase the efficiency and productivity of the enterprise and also the national and international competitiveness of the industries covered by this Award, a greater commitment to training and skill development is required. Accordingly, the parties commit themselves to:

- (a) developing a more highly skilled and flexible workforce;
- (b) providing employees with career opportunities through appropriate training to acquire additional skills; and
- (c) removing barriers to the use of skills acquired.

9.1.2 The parties to this Award recognise that in order to increase efficiency and productivity a greater commitment to learning and development is required.

Accordingly, the parties commit themselves to developing a more highly skilled and flexible workforce and providing employees with career opportunities through appropriate training to acquire additional skills and knowledge for performance of their duties.

The parties also recognise that both the Employer and the employees have an equal obligation to ensure the currency of skills, qualifications and industry practice.

Within the College a consultative mechanism and procedures involving representatives of management, employees and public sector unions will be established as determined by the Employer having regard to the size, structure and needs of the College.

Following consultation the Employer will develop a learning and development strategy consistent with:

- (a) the current and future needs of the College;
- (b) the size, structure and nature of the operations of the College;
- (c) the need to develop vocational skills relevant to the College through courses conducted wherever possible by accredited educational institutions and providers.

Learning and development may be both on-the-job or off-the-job and either internal or external to the College.

Learning and development provided should assist employees in obtaining accredited competencies, knowledge and skills consistent with the Australian Qualifications Framework (AQF).

All learning and development should, where practicable, be directed at enabling employees to enhance skills relevant to duties to be performed. Employees will be expected to attend scheduled learning and development activities.

9.1.3 The following provisions relating to professional development will apply to employees covered by this Award:

(a) Definitions:

- (i) professional development is a concerted, consistent and continuous process that increases the ability of each employee to function both professionally and personally, with the overall aim of improving the quality of College efficiency;
- (ii) professional development may be taken in a variety of activities including formal study in a recognised course, participation in workshop, seminar and conference sessions which may be conducted within the College or outside and by College employees or by external persons, and formal skill formation processes conducted within the College or by accredited providers in the non-College area; and
- (iii) release to attend courses conducted in a non-College environment and arranged by accredited providers is a particular component of professional development. Such a release means release from College attendance for observational, research or hands-on experience in an external organisation within industry, commerce or other appropriate setting for the specific purpose of acquiring skills, knowledge and experience necessary for employees to improve College efficiency.

(b) Entitlement:

- (i) employees covered by this Award will, subject to approval by the Employer, be entitled to a minimum of 5 days per annum for the purpose of professional development, including release to non-College organisations subject to appropriate professional development opportunities being available;
- (ii) subject to the Employer's approval, professional development may be taken in at least half day periods; and
- (iii) the Employer will, where appropriate, facilitate professional development by co-ordinating needs identification activities so that College and employee needs are satisfied.

(c) Conditions:

- (i) employees will not incur a loss of salary or loss of other entitlements such as sick leave, annual leave, long service leave, leave loading and/or superannuation entitlements during professional development;
- (ii) the provisions of clause 9.1.3(c) do not preclude employees from undertaking, on their own volition, professional development activities during any periods of leave;
- (iii) the Employer may direct employees to attend particular professional development activities;
- (iv) while on release for professional development purposes, employees will work the normal hours of the organisation concerned and will follow the same conditions as co-workers; and
- (v) the Employer will meet all related expenses associated with the professional development and will ensure workers' compensation, professional indemnity, personal injury and property damage cover for employees on release to industry.

PART 10 - OCCUPATIONAL HEALTH AND SAFETY MATTERS, EQUIPMENT, TOOLS AND AMENITIES

10.1 Health and safety

The parties to this Award are committed to promoting and securing the health, safety and rehabilitation of employees and are bound by the relevant workplace health and safety legislation and regulations.

10.2 First aid kits

First aid kits and equipment will be provided in conformity with the provisions of the *Work Health and Safety Regulation 2011*.

PART 11 - AWARD COMPLIANCE AND UNION RELATED MATTERS

Preamble

Clauses 11.1 and 11.2 replicate legislative provisions contained within the Act. In order to ensure the currency of existing legal requirements parties are advised to refer to sections 366, 372 and 373 of the Act as amended from time to time.

11.1 Right of entry

11.1.1 Authorised industrial officer

- (a) An "Authorised industrial officer" is any Union official holding a current authority issued by the Industrial Registrar.
- (b) Right of entry is limited to workplaces where the work performed falls within the registered coverage of the Union.

11.1.2 Entry procedure

- (a) The authorised industrial officer is entitled to enter the workplace during normal business hours as long as:
 - (i) the authorised industrial officer alerts the Employer or other person in charge of the workplace to their presence; and
 - (ii) shows their authorisation upon request.
- (b) Clause 11.1.2(a)(i) does not apply if the authorised industrial officer establishes that the Employer or other person in charge is absent.
- (c) A person must not obstruct or hinder any authorised industrial officer exercising their right of entry.
- (d) If the authorised industrial officer intentionally disregards a condition of clause 11.1.2 the authorised industrial officer may be treated as a trespasser.

11.1.3 Inspection of records

- (a) An authorised industrial officer is entitled to inspect the time and wages record required to be kept under section 366 of the Act.
- (b) An authorised industrial officer is entitled to inspect such time and wages records of any former or current employee except if the employee:
 - (i) is ineligible to become a member of the Union; or
 - (ii) has made a written request to the Employer that they do not want their record inspected.
- (c) The authorised industrial officer may make a copy of the record, but cannot require any help from the Employer.
- (d) A person must not coerce an employee or prospective employee into consenting, or refusing to consent, to the inspection of their records by an authorised industrial officer.

11.1.4 Discussions with employees

An authorised industrial officer is entitled to discuss with the Employer, or a member or employee eligible to become a member of the Union:

- (a) matters under the Act during working or non-working time; and
- (b) any other matter with a member or employee eligible to become a member of the Union, during non-working time.

11.1.5 *Conduct*

An authorised industrial officer must not unreasonably interfere with the performance of work in exercising a right of entry.

11.2 Time and wages record

11.2.1 An Employer must keep, at the place of work in Queensland, a time and wages record that contains the following particulars for each pay period for each employee, including apprentices and trainees:

- (a) the employee's award classification;
- (b) the Employer's full name;
- (c) the name of the award under which the employee is working;
- (d) the number of hours worked by the employee during each day and week, the times at which the employee started and stopped work, and details of work breaks including meal breaks;
- (e) a weekly, daily or hourly wage rate - details of the wage rate for each week, day, or hour at which the employee is paid;
- (f) the gross and net wages paid to the employee;
- (g) details of any deductions made from the wages; and
- (h) contributions made by the Employer to a superannuation fund.

11.2.2 The time and wages record must also contain:

- (a) the employee's full name and address;
- (b) the employee's date of birth;
- (c) details of sick leave credited or approved, and sick leave payments to the employee;
- (d) the date when the employee became an employee of the Employer;
- (e) if appropriate, the date when the employee ceased employment with the Employer; and
- (f) if a casual employee's entitlement to long service leave is worked out under section 47 of the Act - the total hours, other than overtime, worked by the employee since the start of the period to which the entitlement relates, worked out to and including 30 June in each year.

11.2.3 The Employer must keep the record for 6 years.

11.2.4 Such records shall be open to inspection during the Employer's business hours by an inspector of the Department of Justice and Attorney-General, in accordance with s. 371 of the Act or an authorised industrial officer in accordance with ss. 372 and 373 of the Act.

11.2.5 The Employer may specifically exempt those employees who have been, or who are a class of office from a system for recording starting and finishing times, meal breaks and absences from duty.

11.3 Posting of Award

A true copy of this Award must be exhibited in a conspicuous and convenient place on the Premises of the Employer so as to be easily read by employees.

11.4 Union delegates

- 11.4.1 The parties acknowledge the constructive role democratically elected Union delegates undertake in the workplace in relation to union activities that support and assist members. That role will be formally recognised, accepted and supported.
- 11.4.2 Employees will be given full access to Union delegates/officials during working hours to discuss any employment matter or seek Union advice, provided that service delivery is not disrupted and work requirements are not unduly affected.
- 11.4.3 Provided that service delivery and work requirements are not unduly affected, delegates will be provided convenient access to facilities for the purpose of undertaking Union activities. Such facilities include: telephones, computers, e-mail, photocopiers, facsimile machines, storage facilities, meeting rooms and notice boards. It is expected that management and delegates will take a reasonable approach to the responsible use of such facilities for information and communication purposes.
- 11.4.4 Subject to the relevant employee's written approval and any confidentiality provisions, delegates may request access to documents and policies related to a member's employment.

11.5 Industrial relations education leave

- 11.5.1 Industrial relations education leave is paid time off to acquire knowledge and competencies in industrial relations. Such knowledge and competencies can allow employees to effectively participate in consultative structures, perform a representative role and further the effective operation of grievance and dispute settlement procedures.

Employees may be granted up to 5 working days (or the equivalent hours) paid time off (non-cumulative) per calendar year to attend industrial relations education sessions, approved by the Employer (or delegated authority).

Additional leave, over and above 5 working days non-cumulative (or the equivalent hours) in any one calendar year may be granted where approved structured employees' training courses involve more than 5 working days (or the equivalent). This leave will be subject to consultation between the Employer (or delegated authority), the Union and the employee.

Upon request and subject to approval by the Employer (or delegated authority), employees may be granted paid time off in special circumstances to attend Management Committee Meetings, Union Conferences, and ACTU Congress.

- 11.5.2 The granting of industrial relations education leave or any additional special leave should not impact adversely on service delivery, work requirements or the effectiveness and efficiency of the College or the work unit concerned. At the same time this leave will not be unreasonably refused.
- 11.5.3 At the discretion of the Employer, employees may be granted special leave without pay to undertake work with their Union.

11.6 Union encouragement

Clause 11.6 gives effect to section 110 of the Act in its entirety. Consistent with section 110, a Full Bench of the Commission has issued a Statement of Policy on Union Encouragement (reported 165 QGIG 221) that encourages an employee to join and maintain financial membership of a Union.

11.6.1 Documentation to be provided by employer

At the point of engagement, an Employer to whom this Award applies will provide employees with a document indicating that a Statement of Policy on Union Encouragement has been issued by the Commission, a copy of which is to be kept on the premises of the Employer in a place readily accessible by the employee.

The document provided by the Employer will also identify the existence of a Union encouragement clause in this Award.

- 11.6.2 The parties to this Award recognise the right of individuals to join a Union and will encourage that membership. However, it is also recognised that Union membership remains at the discretion of individuals.
- 11.6.3 An application for Union membership and information about the Union will be provided to all employees at the point of engagement.
- 11.6.4 Information about the Union will be included in induction materials.

11.6.5 A Union representative will be provided with the opportunity to discuss Union membership with new employees.

11.6.6 Where requested by the Union, a College will provide payroll deduction facilities for union subscriptions.

SCHEDULE 1 - Salary Rates - Administrative, Professional, Technical, Operational Streams and Nurses

Section 1 - Administrative Stream

CLASSIFICATION LEVEL		AWARD RATE
		Per Fortnight \$
Level 1	1	1,125.40
	2	1,179.10
	3	1,274.10
Level 2	Age 21	
	1	1,500.00
	2	1,539.60
	3	1,577.70
	4	1,617.30
	5	1,657.50
	6	1,697.30
	7	1,738.70
8	1,782.70	
Level 3	1	1,898.20
	2	1,970.10
	3	2,042.20
	4	2,114.10
Level 4	1	2,239.90
	2	2,313.10
	3	2,387.20
	4	2,460.50
Level 5	1	2,591.60
	2	2,666.10
	3	2,740.40
	4	2,814.70
Level 6	1	2,969.80
	2	3,038.70
	3	3,107.30
	4	3,176.00
Level 7	1	3,320.70
	2	3,399.90
	3	3,479.50
	4	3,558.90
Level 8	1	3,676.40
	2	3,746.30
	3	3,816.60
	4	3,886.60

Section 2 - Professional Stream

CLASSIFICATION LEVEL		AWARD RATE
		Per Fortnight \$
Level 1	1	1,154.50
	2	1,271.70
	3	1,389.00
	Age 21	1,563.50
	5	1,628.30
	6	1,693.90

CLASSIFICATION LEVEL

AWARD RATE

Per Fortnight
\$

	7	1,762.70
Level 2	1	1,895.80
	2	2,001.10
	3	2,100.80
	4	2,210.70
	5	2,315.50
Level 3	6	2,419.80
	1	2,540.60
	2	2,618.10
	3	2,695.20
Level 4	4	2,772.00
	1	2,950.10
	2	3,025.40
	3	3,100.50
Level 5	4	3,175.90
	1	3,320.70
	2	3,399.90
	3	3,479.50
Level 6	4	3,558.90
	1	3,676.40
	2	3,746.30
	3	3,816.60
	4	3,886.60

Section 3 - Technical Stream

CLASSIFICATION LEVEL

AWARD RATE

Per Fortnight
\$

Level 1	1	1,154.50	
	2	1,271.70	
	3	1,389.00	
	Age 21	4	1,563.50
	5	1,628.30	
	6	1,693.90	
	7	1,762.70	
Level 2	1	1,789.80	
	2	1,851.00	
	3	1,916.20	
	4	1,982.10	
	5	2,047.90	
	6	2,113.80	
Level 3	1	2,239.90	
	2	2,300.00	
	3	2,359.80	
	4	2,419.80	
Level 4	1	2,540.60	
	2	2,622.40	
	3	2,702.90	
Level 5	1	2,814.70	
	2	2,897.30	
	3	2,980.40	
	4	3,062.90	

CLASSIFICATION LEVEL		AWARD RATE
		Per Fortnight \$
Level 6	1	3,161.80
	2	3,241.10
	3	3,320.70

Section 4 - Operational Stream

CLASSIFICATION LEVEL		AWARD RATE
		Per Fortnight \$
Level 1	1	985.30
	2	1,069.80
	3	1,156.70
	4	1,244.00
	5	1,331.20
	6	1,418.60
Level 2	Age 21	
	1	1,500.00
	2	1,541.40
	3	1,581.80
Level 3	1	1,647.80
	2	1,680.40
	3	1,712.50
	4	1,745.90
Level 4	1	1,814.60
	2	1,869.70
	3	1,928.20
	4	1,986.40
Level 5	1	2,038.10
	2	2,105.10
	3	2,172.60
	4	2,239.90
Level 6	1	2,337.50
	2	2,398.80
	3	2,460.50
Level 7	1	2,577.60
	2	2,640.40
	3	2,702.90

Section 5 - Nurses

CLASSIFICATION LEVEL		AWARD RATE
		Per Fortnight \$
Level 1 - Registered Nurse	1st year	1,553.50
	2nd year	1,616.80
	3rd year	1,679.90
	4th year	1,743.40
	5th year	1,806.70
	6th year	1,870.00
	7th year	1,933.20
	8th year	1,996.60
Level 2 - Clinical Nurse	1st year	2,129.80
	2nd year	2,172.40
	3rd year	2,216.70

CLASSIFICATION LEVEL

AWARD RATE

4th year

Per Fortnight
2,260.70

The rates of pay in this Award include rates from the Australian Agricultural College Employing Office Certified Agreement 2007 as at 1 October 2008. The rates of pay in this Award are intended to include the arbitrated wage adjustment payable under the 1 September 2012 Declaration of General Ruling and earlier Safety Net Adjustments and arbitrated wage adjustments. This arbitrated wage adjustment may 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 payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, award amendments to give effect to enterprise agreements and over-award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases made under previous State Wage Cases or under the current Statement of Policy, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated wage adjustments.

SCHEDULE 2 - Generic Level Statements - Administrative, Professional, Technical and Operational Streams

Section 1 - Administrative Stream

(a) Administrative Officer Level 1

Work Level Description (AO1)

Work at this level usually involves a combination of keyboard, clerical and other duties requiring the application of basic office skills and routines.

Characteristics of the Work

Performed under close direction using established routines, methods and procedures with little scope for deviating from these.

Problems can usually be solved by reference to procedures, well documented methods and instructions. Initially direct guidance is given when problems arise. Ready access to advice and assistance is available.

The work may involve giving technical and procedural advice to other staff (for example relating to the operation of office equipment used in the work area). It may require the acquisition of knowledge and specific procedures, instructions, regulations or other requirements relating to general administration (e.g. personnel or finance operations) and/or specific Office programs and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

As individual employees develop more experience and knowledge they will be required to exercise greater judgement and make decisions in their allocated duties, although these will be confined by instructions, established practices and procedures of written guidelines.

Duties and Skills

Work at this level may progressively involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

Entry to this level is either by commencement of a traineeship or through selection based on standardised vocational testing.

(b) Administrative Officer Level 2

Work Level Description (AO2)

Work at this level usually encompasses a range or combination of administrative activities and operations which require the application of skills and experience in administrative/clerical work and a general knowledge of the work to be performed.

The work will involve achieving clearly defined and established outcomes and/or basic problem solving within guidelines and contributing knowledge or skills or information specific to the work of the agency.

Characteristics of the Work

Work is usually performed under close supervision and may involve undertaking a range of duties requiring judgement, liaison and communication within an agency and with other interested parties.

The solution of problems may require the exercising of basic judgement, although knowledge required to perform work is usually related to precedents, guidelines, procedures, regulations and instructions and from senior staff. It may require some knowledge and application of specific procedures, instructions, regulations or other requirements relating to general administration and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

Duties and Skills

Knowledge required to perform work is usually related to guidelines, instructions and procedures relevant to the function of the level.

Familiarity with the functions of related work areas and of relationships between organisational elements may be required.

At this level, basic resolution of problems by reference to established procedures may be required.

Work at this level may involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

The minimum skills required for entry to this level are as defined in the traineeship curriculum or through standardised vocational testing.

(c) *Administrative Officer Level 3*

Work Level Description (AO3)

Work at this level usually requires relevant experience combined with a broad knowledge of the Office's functions and activities and a sound knowledge of the major activity performed within the work area.

The work may include preparing preliminary reports, papers and correspondence which usually relate to a specific organisational function or discipline, providing or interpreting information for clients or other interested parties and general administrative support to senior officers.

Supervisory responsibilities may involve some complex operational work and may involve assisting with, or reviewing the work undertaken by, subordinates or team members.

Scope exists for exercising initiative in the application of established work practices and procedures although this level may require expertise to resolve issues within a day-to-day environment for which there may not be clearly established procedures.

Effective judgement and work organisation skills are required which have been acquired through previous experience, demonstrated capacity or post secondary education or partial completion of same.

Characteristics of the Work

Work is usually performed under general direction and may involve preparing papers, briefing notes, correspondence or other written material.

Decisions made or delegations exercised at this level may have an impact on the relevant agency's operations, but are normally of limited procedural or administrative importance.

Work at this level may include responsibility for training, involvement in working with staff to develop work performance, planning and co-ordinating tasks and work flow.

Duties and Skills

Work at this level requires a sound knowledge of the activities usually performed within the work area and their impact upon the activities of other organisations.

Supervisory responsibilities include on-the-job training and staff assessment and performance counselling in relation to the work area. This level usually requires the application of personnel-related functions such as orientation of staff, staff attendance and recommendation of leave arrangements, written and verbal communication, interpretation and liaison skills to solve basic problems together with interpersonal skills to deal with non-routine matters and analytical abilities appropriate to the work area.

(d) *Administrative Officer Level 4*

Work Level Description (AO4)

Work at this level is usually performed in relation to established priorities, task methodology and work practices to achieve results in line with the corporate goals of the Office.

The work may include preparing papers and reports, drafting complex correspondence for senior officers, undertaking activities of a specialist or detailed nature, assisting in the preparation of procedural guidelines, providing, interpreting and analysing information for clients or other interested parties, exercising specific process responsibilities, and overseeing and co-ordinating the work of subordinate staff.

Work at this level includes supervision of a work group small work area or office within the total organisational structure and co-ordination of a range of Office functions.

Characteristics of the Work

Work is performed under general direction as to work priorities and may be of a technical or professional, project, procedural or processing nature, or a combination of these.

Direction exercised over work performed at this level may be less direct than at lower levels and is usually related to task methodologies and work practices. Staff would be expected to set priorities and to monitor work flow in the area of responsibility.

The work at this level requires the application of knowledge usually gained through previous experience in the discipline or from post secondary or tertiary study. The work may require the co-ordination of a range of Office functions and the exercising of judgement and/or delegated authority in areas where precedents or procedures are not clearly defined.

Independent action may be exercised at this level, particularly in Local Office situations, for example, developing local procedures, management strategies and guidelines.

Any decisions taken or delegations exercised would be limited by the application of rules, regulations, guidelines or procedures.

The extent of supervisory responsibility would depend on the operational work of the area and factors such as work priorities, complexity of the work and the number of subordinate staff.

Duties and Skills

Work performed at this level will require the ability to supervise staff, set priorities, monitor work flow and develop local strategies or work practices.

This may include responsibility for the development of appropriate training programmes related to group development, application of equal employment opportunity, industrial relations principles and an awareness of occupational health and safety guidelines and principles. Staff assessment and counselling may involve providing advice in relation to personal and career development relating to work requirements.

Liaison and communication skills and the capacity to negotiate may be required, particularly for activities involving liaison or communication with clients or other interested groups.

Work at this level requires general knowledge of the Office's operations, combined with a specialist knowledge of major activities within the work area.

In program, activity or service delivery areas staff should have the knowledge to interpret and apply standard policies, specific procedures and regulations or other guideline material to specific situations. They should be able to disseminate information about the Office's operations particularly in relation to policy aspects or program, activity or service delivery to clients.

Work at this level may require the ability to investigate, interpret or evaluate information where legislation, regulations, instructions or procedural guidelines do not give adequate or specific answers.

(e) *Administrative Officer Level 5*

Work Level Description (AO5)

Work at this level may include a variety of functions as follows -

- (i) managing the operations of a discrete organisational element, program or activity; or
- (ii) the operations of an organisational element which is part of a larger office within the total organisational structure; or
- (iii) under limited direction in relation to priorities and work practices, providing administrative support to a particular program, activity or administrative function and consultancy service to external organisations; or
- (iv) providing subject matter expertise or policy advice across a range of programs or activities undertaken by the agency.

Work at this level may include the preparation of documentation for complex correspondence purposes and for decision by senior officers.

Responsibilities may include liaison and co-ordination within and across functions including Office representation and overseeing and co-ordinating the work of other staff assisting in this area.

Work at this level may include operation within a number of specialist or multi-disciplinary teams or independently.

Characteristics of the Work

Work is usually performed under limited direction as to work priorities and the detailed conduct of the task.

Direction exercised over work performance at this level includes, depending on the functional role required, the provision of advice, guidance and/or direction in relation to a project, detailed processing, and other work practices.

Independent action may be exercised within constraints set by senior management.

Any decision taken or delegation exercised tends to be governed by the application of rules, regulations or Office operating instructions or procedures. While such decisions may impact on Office operations and resources, they are usually limited to the specific work area involved.

Managerial responsibilities would usually depend on the specific activities undertaken. Staff at this level would be expected to set and achieve priorities, monitor work flow and/or manage staffing resources to meet objectives.

Duties and Skills

Work at this level requires a knowledge of Office operations and the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

Work at this level may require -

- the ability to investigate, analyse, interpret or evaluate information for the guidance of staff or clients, or undertake research in relation to technical matters;⁷
- well developed liaison and communication skills and the ability to negotiate with clients or other interested parties, within parameters decided by senior management; and
- significant managerial ability, including the ability to supervise staff, set priorities, monitor work flow, develop local strategies, procedures and work practices, and allocate resources.

This includes demonstrated personnel management skills, the ability to apply equal employment opportunity principles and procedures and industrial relations principles and occupational health and safety guidelines.

Responsibility for the identification of training needs and the development of appropriate training programmes for the work unit may be undertaken at this level.

(f) *Administrative Officer Level 6*

Work Level Description (AO6)

Work at this level may involve providing advice including policy, administrative, or specialist; undertaking work related to the management or administration of a program or activity; service delivery or corporate support functions, including project work and work policy development; preparation or co-ordination of research papers, submissions on policy, technical, professional or program issues, or administrative matters.

Liaison with other elements of the organisation, other Government Agencies, local authorities or community organisations is usually a feature.

Work also includes the preparation or overseeing the preparation, of correspondence and replies to Parliamentary Questions, Ministerial representations and other briefing material; and representing the Office at meetings, conferences or seminars. Management of diverse occupational groups may be required of this level.

Characteristics of the Work

Work is undertaken at this level with limited direction as to work priorities and the detailed conduct of the task. The tasks undertaken may be of a complex or specific nature encompassing a major area of Office operations.

Direction exercised over work performed at this level may, depending on the function role required, be by way of providing general guidance and advice.

Work at this level may involve control and/or co-ordination of projects or programs within the Office in accordance with corporate goals, and requires the development, implementation and evaluation of office activities.

Work at this level may involve independence of action including the use and allocation of resources within the constraints laid down by senior management.

Decisions taken or delegations exercised at this level may have major impact on the day-to-day operations of the work area. The impact of such decisions on Office operations is likely to be limited to a specific work area or function. Delegations exercised may, depending on the nature of the work required, involve making determinations, instigating another course of action, or reviewing previous decisions.

Managerial responsibilities may be an important function of the work at this level, but this can vary widely depending on factors such as work area, location, priorities, work load, operational deadlines and the availability of staff resources to assist.

Guidelines, rules, instructions or procedures for use by other staff and interested parties may be developed at this level.

Duties and Skills

Management skills and abilities necessary to undertake the allocation and monitoring of resources, the review of operations to determine their effectiveness and contribute to the development of policy initiatives or corporate strategies are usually required at this level.

A knowledge of financial program management techniques related to the activity or corporate goal of the work area is usually required at this level, together with demonstrated personnel management skills and the ability to apply equal employment procedures and implement training and staff development.

Well developed liaison and communication skills and the ability to negotiate or communicate, under limited direction, on behalf of the agency with clients or other interested parties may be needed.

Work at this level requires a knowledge and awareness of Office operations, as related to Government initiatives or policies.

The ability to apply or interpret legislation, regulations, instructions or other guideline material relating to the operations, policies or functions of the work area; and the capacity to undertake high level research, reviews or investigations including the preparation of reports and associated papers may also be required.

(g) *Administrative officer Level 7*

Work Level Description (AO7)

Work at this level may involve control of an organisational element involved in the administration or co-ordination of a specific program, activity or corporate support function at either the Branch or Department Head level, to achieve a result in line with the corporate goals of the agency.

The work may include developing policy and/or providing policy, financial, specific subject matter or administrative advice, including specialist advice or undertaking high level project work; developing, implementing and reviewing policy instructions and administrative or specialist procedures for the guidance of functional elements of the Office;

initiating and formulating recommendations for Office programs; processing representations to the Minister, preparing replies to Parliamentary Questions, preparing Briefing Notes for senior level Managers, assisting in the preparation of Cabinet Submissions and correspondence; liaising with other Government bodies and community organisations including the preparation of public information on programs, activities or services; and representing the Office at meetings, conferences or seminars.

Work undertaken at this level may also be required to deal with a complex and diverse operating environment.

Characteristics of the Work

Work is undertaken at this level with broad direction usually from a senior level Manager or comparable employee in relation to priorities and the detailed conduct of the task. The activities undertaken would be of a complex or specific nature encompassing a significant element of total Office operations.

Work at this level may involve, depending on the functional role, significant independence of action including the use or allocation of resources within the constraints or guidelines laid down by senior management.

Decisions taken at this level may, depending on the degree of autonomy of function and the degree of delegated authority, have significant impact on the day-to-day operations of a specific work area and may also have significant effects elsewhere within the Office.

Management responsibilities are usually a significant function at this level. The percentage of the total work taken up in management functions and the character of the direction given to subordinates would depend on the nature of the work area, location, workload factors, priorities and staff resources allocated.

The development of guidelines, rules, regulations, procedures or instructions for either staff or other interested parties may be co-ordinated at this level.

Duties and Skills

Management skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, manage staff and resources, formulate policy initiatives and develop corporate strategy proposals are usually required at this level. A knowledge of financial program management practices appropriate to the program or activity or corporate goal of the organisational element in which a position is located, are usually required at this level.

Work at this level requires the application of a high level of discipline, knowledge, a detailed knowledge of both Government policies and procedures and an appreciation of their application in relation to Office operations.

Staff at this level would be expected to have the ability to undertake personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and staff development and counselling within the functional area of responsibility.

Work may require the ability to interpret and provide advice on legislation, regulations, instructions or other guideline material relating to the policies, operations or functions of the work area; and the capacity to undertake specific or major research, investigations or reviews and prepare associated papers or reports.

Liaison and communication skills of a high order, including the capacity and ability to negotiate or communicate on behalf of the agency with clients or other interested groups, perhaps to finality, may be needed.

(h) *Administrative Officer Level 8*

Work Level Description (AO8)

Work at this level may involve responsibility for a major program or programs at statewide level and of critical importance to the agency, operating within broad policy guidelines, or be responsible for a service-wide function.

High levels of discipline, expertise and experience are required combining elements of planning, organising, directing and evaluating to determine goals and priorities within the framework of the corporate objectives of the Office or of other Agencies.

This level will require a capacity for original thinking, creativity, the exercise of significant levels of independent judgement, and the exercise of delegated authority as required.

The work may include providing specialist consultancy advice within or across Agencies, developing policy and interpreting, reviewing and implementing policy instructions, setting objectives in the work area, processing representations to the Minister, overseeing responses to Parliamentary Questions, preparation of reports to Government, preparing ministerial briefing notes and correspondence, liaising with other Government bodies and community

organisations, including the provision of public information on programs, activities or services; and representing the agency at meetings, conferences or seminars.

Characteristics of the Work

Work is undertaken at this level, usually under the broad direction of a Senior Executive, with significant levels of independent judgement in keeping with the complex nature of work undertaken and the allocation of resources within the constraints or guidelines laid down by senior executives. Delegations exercised at this level may, depending on the functional role, involve being the final authority in the process of approving the expenditure of funds, undertaking specific action in line with the policy of the Office, or reviewing any previous action or decisions in the work area.

Management responsibilities are usually a significant function at this level, with management of a number of projects of significant within and outside the Office being involved.

The development of guidelines, rules, regulations, procedures or instructions for staff or other interested parties may be instigated at this level.

Work at this level may include analysis of organisational design and the formulation of strategic plans for staff and organisational development.

Duties and Skills

Management skills and the abilities necessary to determine resource allocations, manage staff and resources, formulate policy initiatives and develop corporate strategies are usually required at this level. A knowledge of financial program management practices and the evaluation of the results of program activities against stated objectives are normally required at this level.

Work at this level requires the application of a high level of discipline and knowledge including detailed knowledge of both Government policies and procedures and their application in relation to Office operations. Staff at this level with managerial responsibilities would be required to oversee the implementation of personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and formulate policies and plans for staff and organisational development.

Liaison and communication skills to enable the effective resolution of complex organisational issues, including the capacity and ability to negotiate or communicate on behalf of the Office with clients or other interested groups, often to finality, may be required.

Section 2 - Professional Stream

(a) *Professional Officer Level 1*

Work Level Description (PO1)

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Service Act 2008* plus the education requirements for acceptance into an appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade (Degree) in the Professional Stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular professional group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant profession, but at a level and under a degree of supervision appropriate to the skills held. This may include some work which would normally be carried out by Level 2 (i.e. Practising) Professional, provided such work is verified or validated by a qualified and experienced professional employee.

Characteristics of the Work

Work within this Level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Initially direct guidance is given when problems arise.

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken.

Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

Duties and Skills

This level recognises that duties and skills will increase in complexity as the employee moves through the education and training phase.

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

Employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

(b) *Professional Officer Level 2*

Work Level Description (PO2)

Positions at this level consist of employees with a minimum of a Degree qualification or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Mandatory qualifications exist for entry to this level with an expectation of the application of professional knowledge gained through formal studies.

Positions at this level involve the delivery of basic professional services which are in support of agency objectives.

Characteristics of the Work

Work is initially performed under close supervision by a more experienced professional, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand.

The solution of problems may require the exercise of professional judgement through the selection and application of procedures, methods and standards, however guidance from senior staff is readily available.

Employees at this level may operate individually or as a member of a project team within a work group.

Positions at this level generally have no supervisory responsibilities although more experienced employees may assist new employees by providing guidance and advice.

Possession of the mandatory tertiary qualification and experience is required for positions within this level. Additionally, knowledge of basic practices and procedures relevant to the discipline is required. Professional judgement may be exercised within prescribed areas, however the provision of results are subject to verification and validation.

Duties and Skills

Positions at this level may involve an employee in a range of activities including the analysis and interpretation of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic operations.

Employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions.

Employees shall have obtained professional knowledge as indicated by successful completion of the appropriate three year undergraduate degree or diploma and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

(c) *Professional Officer Level 3*

Work Level Description (PO3)

This level usually requires professional expertise in one or more areas of a discipline. Detailed knowledge of standard professional tasks are required with scope existing for exercising initiative in the application of established work practices and procedures.

At this level some supervisory responsibility of subordinate staff may be required. The degree of supervision is variable depending on the assignment or project.

Employees will be required to progressively obtain greater specialised knowledge through postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars and achieve higher level of outcomes under reducing professional direction.

Characteristics of the Work

Work is usually performed under general guidance with the general quality of output monitored by superiors. However, the technical content of the work is not normally subject to direct supervision. Guidance may be given in reviewing work programs or on unusual features of an assignment.

Employees are expected to exercise initiative in the application of professional practices either as a member (in some situations as leader) or a specialist professional in multi-disciplinary teams or independently and may deputise for the professional head of a small work unit.

Employees at this level may have supervisory responsibilities for technical staff, if required, together with responsibilities for training and development of subordinate professional staff within the discipline.

Duties and Skills

Work at this level requires the undertaking of more complex activities and the selection and application based on professional judgement of new and existing techniques and methodologies.

Employees may carry out research under professional supervision and may be expected to contribute to the advances of the techniques used.

Supervisory responsibilities include on-the-job training, staff assessment and performance counselling in relation to subordinates with the discipline or para professionals, as well as authority for the verification and validation of work results of supervised staff.

Duties also include the responsibility for varied professional assignments, requiring knowledge of either a broad or specialised field. Problems would be addressed by the use of combinations of standard procedures and/or modifications of standard procedures.

(d) *Professional Officer Level 4*

Work Level Description (PO4)

Work at this level usually requires the exercise of professional independence combined with competence derived from extensive experience and/or additional study.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised specialist, a professional practitioner with responsibilities for complex duties or as a senior specialist or leader in a multi-disciplinary team and may deputise for a professional head of a work unit.

The management of work groups may be a function of this level.

Characteristics of the Work

Work is performed with limited or no professional supervision. Professional guidance from superiors is only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the normal span of activity.

Any standard professional task within the discipline, (including problem definition, planning, execution, analysis and reporting) is expected to be performed by an officer of this level.

Work at this level requires the development and provision of professional advice and consultancy services to other Agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

The general quality of advice given is monitored by superiors and is subject to professional standards.

The application of knowledge obtained through postgraduate specialist qualifications or extensive recognised expertise is required for appointment to this level.

Professional specialists at this level would undertake work with significant scope and/or complexity and/or undertake professional duties of an innovative, novel and/or critical nature without professional direction.

Duties and Skills

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of the Agency's operations combined with a specialist or very high level of practitioner knowledge of major activities in the work unit.

Managerial responsibility may cover a small number of professional and related technical staff, and includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

Work at this level requires the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

(e) *Professional Officer Level 5*

Work Level Description (PO5)

Appointees to this level are recognised as authorities within a particular specialised field of expertise or they may have extensive knowledge within the professional discipline and broad experience spanning more than one professional discipline.

Positions at this level may have professional responsibility for a large work group.

Characteristics of the Work

Work at this level may involve the exercise of substantial professional judgement based on knowledge of national initiatives and involvement in the development/application of discipline principles and new technology and/or knowledge of critical work which can involve a number of personnel from the disciplines or a variety of disciplines.

Work is usually performed without professional direction with a discretion permitted within the boundaries of broad guidelines to achieve organisational goals.

This level requires that appointees be recognised by their peers as expert professionals in their field either as practitioners or as professional specialists. This recognition is acknowledged by higher qualifications or by publications in refereed scientific journals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial professional judgement.

Management, initiation and formulation of research programs, major project or management of a scientific service or enterprise involving both a service and research work are features of this level.

Management of large work units, including prioritising work, training of staff, monitoring or work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate professional staff may also be required.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with professional independence.

Duties and Skills

Work at this level requires a detailed knowledge of both Governmental policies and procedures and an appreciation of their application in relation to agency operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The provision of expert advice on a consultancy basis to outside bodies, Agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate professional, technical and economic impacts of programs, formulate policy and corporate strategy proposals are a requirement of positions within this level.

The management of very complex projects involving a number of personnel from either the discipline or a variety of professional disciplines may be required.

(f) *Professional Officer Level 6*

Work Level Description (PO6)

Work at this level is usually under the broad direction of a senior executive and includes a requirement for high levels of expertise and experience to determine professional objectives and priorities within the frameworks of an agency's corporate goals and in the absence of general professional guidance.

Appointees to this level are recognised as national or international authorities within their discipline and have generally made a significant contribution to the development of professional understanding on a national or international basis.

High levels of expertise and experience are required with a comprehensive knowledge of a recognised professional discipline.

This level may require the management of programs of critical importance to the State, to satisfy the Government's objectives or the agency's corporate goals.

Characteristics of the Level

Work is undertaken in a highly complex or specialised field to establish and/or modify standards, guidelines, concepts, theories, techniques or principles, both by adapting precedents and by making significant departures from traditional approaches.

In the absence of other evidence higher qualifications or national/international professional recognition of expertise is considered essential to undertake duties at this level.

The provision of expert specialist consultancy skills with critical impacts to the industry, to the State and at times the Nation must be combined with the exercise of total professional independence.

Duties and Skills

The lack of precedent is a significant feature of the majority of duties and actions undertaken.

Development and overseeing the implementation of new and high level programs and major investigations is a significant feature of this level, as is an emphasis on strategic management.

Section 3 - Technical Stream

(a) *Technical Officer Level 1*

Work Level Description (TO1)

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Service Act 2008* plus the education requirements for acceptance into the appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade in the Technical stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular technical group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant occupation, but at a level and under a degree of supervision appropriate to the skills held. This may include some work which normally would be carried out by Level 2 (i.e. Practising) Technical Officer, provided such work is verified or validated by a qualified and experienced technical employee.

Characteristics of the Work

Work within this Level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Initially direct guidance is given when problems arise.

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken. Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

Duties and Skills

This level recognises that duties and skills will increase in complexity as the employee moves through the education and training phase.

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

Employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

(b) *Technical Officer Level 2*

Work Level Description (TO2)

Positions at this level consist of employees with a minimum of a diploma, advanced diploma, qualification, or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Positions at this level involve the delivery of basic technical services which are in support of agency objectives.

Characteristics of the Work

Work is initially performed under close supervision by a more experienced professional or technical officer, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand and work outcomes are closely monitored.

The solution of problems may require the exercise of basic technical judgement through the application of standard procedures, methods and standards, however guidance from senior staff is readily available.

Employees at this level may operate individually under close supervision or as a member of a project team within a work group.

Positions at this level generally have no supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

Knowledge of basic practices and procedures relevant to the discipline is required with the possibility of specialisation in work application.

Duties and Skills

Positions at this level may involve an employee in a range of activities including the analysis of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic technical investigations, tests or measurements.

Employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions. Work is generally undertaken under technical guidance of senior staff.

Skills are generally transferable within particular disciplines.

Employees shall be required to have technical knowledge as indicated by successful completion of the appropriate diploma, advanced diploma, qualification and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

(c) *Technical Officer Level 3*

Work Level Description (TO3)

Work at this level requires detailed technical knowledge and experience with demonstrated high levels of accuracy and precision. An understanding of the agency's functions, coupled with detailed knowledge of the Units' operations, practices and procedures is necessary for competent performance.

An employee may be required to undertake a range of moderately complex tasks and functions or specialisation in a particular discipline may be a feature of work at this level.

Characteristics of the Work

Work at this level is undertaken autonomously with limited guidance. Guidance is available for complex or unusual problems, research or moderately complex experimental work. However, the contribution of experience to resolve issues on a day to day basis for which there may be no established procedure is a requirement of this level.

Supervision of small work groups and responsibility for quality of output by the group may be a feature of this level.

Duties and Skills

The determination, conduct and evaluation of standard technical practices and procedures is required at this level. Significant technical responsibility exists for the application of new techniques to moderately complex problems and may be combined with limited specialist research.

Supervisory responsibilities would be limited and would include on-the-job training, staff assessment and performance counselling in relation to subordinates within the discipline.

(d) *Technical Officer Level 4*

Work Level Description (TO4)

Appointment to this level requires proven technical expertise and competence with demonstrated proficiency in applying established technical disciplines over several years either on an individual basis or as a member of a multi-disciplinary unit as either a technical practitioner or a technical specialist.

High levels of initiative in accomplishing technical objectives which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary unit are required.

Characteristics of the Work

Work is performed either independently, with limited guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the position's normal span of activity, or as a member of a specialist or multi-disciplinary team.

Specialist technical consultancy either in the particular area of expertise or in a specialist area of expertise is required as is a high level of technical assistance to the work group.

The general quality of advice given is monitored by superiors and is subject to professional standards.

Management of work groups may be a feature of this level.

Duties and Skills

Managerial responsibility includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

Work at this level requires the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

The investigation of a range of operating and design issues is a key duty of this level.

(e) *Technical Officer Level 5*

Work Level Description (TO5)

This level requires a high level of knowledge of complex though conventional methods and techniques of a particular discipline resulting from many years' experience and/or advanced technical training.

High levels of autonomy and initiative are required to be exhibited in accomplishing objectives and undertaking complex research projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team. Employees would be expected to work with only broad guidelines in accomplishing objectives and undertaking complex projects.

The management of large technical work units which may be located across several work sites or involved in several programs may be a function of this level.

Characteristics of the Work

Higher qualifications or further study or research experience is usually a characteristic of this level.

Management of large technical work units, including prioritising work, training of staff, monitoring of work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate technical staff may also be required.

Work at this level requires the development and provision of specialist technical advice and consultancy services to other Agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

Duties and Skills

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of the agency's operations combined with a specialist knowledge of major activities within the work unit.

Key duties and skills include the development of innovative methodologies, the application of proven techniques to specialised technical services and the undertaking of significant projects requiring the use of analytical skills.

The development and implementation of research studies, the preparation of reports and the formulation of recommendations and strategic plans in relation to the operation of the unit are key duties at this level.

(f) *Technical Officer Level 6*

Work Level Description (TO6)

Appointees at this level are recognised as authorities within a particular specialised technical field of expertise. This expertise is exhibited through extensive knowledge and experience within the area of specialisation possibly gained through either research or further qualifications.

Positions at this level may have managerial responsibility for major work units.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team.

Characteristics of the Work

Work is usually performed without technical direction with a degree of individual discretion permitted within broad guidelines to achieve organisational goals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial technical judgement.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with technical independence.

Duties and Skills

Work at this level requires a detailed knowledge of both Governmental policies and procedures and an appreciation of their application in relation to agency operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The development of appropriate techniques in providing specialised technical services and the formulation of complex programs within the framework of objectives and priorities of major work units are key duties to this level.

The provision of expert advice on a consultancy basis to outside bodies, Agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, formulate policy and corporate strategy proposals are a requirement of positions within this level.

Section 4 - Technical Stream

(a) Operational Officer Level 1

Work Level Description (OO1)

Training, both on and off the job, is a dominant feature of this level.

Characteristics of the Level

Work at this level is performed under close supervision and direction following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment in the selection of appropriate means to complete the work assignment. Limited responsibility exists for the final outcome.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Direct guidance is given when problems arise.

Positions at this level have no supervisory responsibility.

Duties and Skills

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests. There is only limited scope for interpretation.

(b) Operational Officer Level 2

Work Level Characteristics (OO2)

Positions at this level involve the delivery of operational services whose work routines, methods, and procedures are clearly established and there is limited scope for deviation.

Training, both on and off the job, is often a dominant feature of this level.

Characteristics of the Level

Work may initially be performed under close supervision by a more experienced officer, however, this supervision is expected to reduce as experience increases. Employees at this level may operate individually or as a member of a project team within a work group.

Limited discretion is available for the selection of the appropriate means of completing duties or tasks. Guidance is always available and work outcomes may be closely monitored.

Positions at this level may have limited supervisory responsibilities with more experienced staff assisting new staff by providing guidance and advice.

Duties and Skills

Positions at this level may involve an employee in a range of activities including the performance of non-repetitive tasks governed by established procedures, specific guidelines and standardised instructions.

Duties may include field support or regulatory inspection activities and data collection and recording. Appointees to this level undertake a range of functions requiring the practical application of acquired skills and knowledge.

Technical skills not requiring trade or equivalent qualifications are required in order to safely and effectively operate basic machinery to perform routine and standard functions, and organise duties across a working day to meet regular work load requirements.

(c) Operational Officer Level 3

Work Level Description (OO3)

Appointment to this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

An understanding of the agency's functions coupled with detailed knowledge of the work units' operations, practices and procedures is necessary for competent performance.

Characteristics of the Level

Employees at this level work under general direction and undertake a range of functions which may require the application of trade based skills and experience or the practical application of a high level of skills.

Employees at this level may operate individually or as a member of a project team within a work group.

Supervision of subordinate employees within a small discrete work group or function may be a feature of this level.

Assistance is usually available if required when problems occur, although problems are usually resolvable by reference to procedures, documented methods and instructions.

Whilst there is some scope for the exercising of initiative in the application of established work practices and procedures, problems can generally be solved by reference to documented methods and instructions.

Duties and Skills

Work at this level requires a sound knowledge of the agency's functions and the requirements of the discipline.

A sound knowledge of the operating procedures is required.

Supervisory responsibilities may include co-ordination of work flow processes, training of subordinate staff, responsibility of quality of output of the workgroup, staff assessment and performance counselling in relation to subordinates.

Knowledge and compliance with regulations, codes and specifications may be required.

Duties at this level may include application of trade based skills or equivalent involving field work, design/modification of equipment, research projects, support services and the collating and analysis of specimens or data.

(d) *Operational Officer Level 4*

Work Level Description (OO4)

Work at this level requires specialised knowledge within the discipline.

Work is undertaken under limited direction as to work priorities and the detailed conduct of the task.

Employees may be responsible for larger work groups or functions, field groups or district operations.

High levels of initiative in accomplishing objectives may be required to be exercised either on an individual basis or in a multi-disciplinary unit.

Characteristics of the Work

Work is performed either independently with guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the position's normal span of activity.

There is scope for the exercise of initiative in the application of established work practices and procedures.

Duties and Skills

Duties include the supervision of a work group or function, field group or regional operation, with responsibility for the standard of workmanship, completion of work assignments and allocation of resources.

Interpretation of guideline material and documented precedents and the application of judgement may be required in determining solutions to problems.

(e) *Operational Officer Level 5*

Work Level Description (OO5)

Work at this level requires specialised knowledge of complex though conventional methods and techniques.

High levels of autonomy and initiative may be required to be exhibited in accomplishing objectives and undertaking projects.

Management of large work groups may be a factor.

Characteristics of the Level

Employees at this level are subject to limited direction and may exercise managerial responsibility for a large and complex work program.

Usually only broad guidance and advice is provided as to operational requirements and deadlines to achieve end results in line with operating goals.

Duties and Skills

Duties may involve detailed planning, directing, co-ordinating or financial control within budget, material and workforce limitations established by management and the implementation of overall agency policies.

Managerial responsibility includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

(f) *Operational Officers Levels 6 & 7*

Work Level Description (OO6 & OO7)

Work at this level requires specialised knowledge and may be undertaken autonomously.

These are managerial levels and may include responsibility for large and complex work groups.

Characteristics of the Work

Responsibilities at these levels will reflect the size and complexity of agency operations and will normally entail significant independence of action in the allocation of resources within constraints imposed by management.

Work is performed under limited direction with a significant degree of discretion permitted within the boundaries of broad guidelines to achieve organisational goals.

Duties and Skills

Duties at this level reflect the independent operation of the employee and may involve significant allocation of resources.

Management of work units may include prioritising work, training staff, monitoring of work flow and setting of local strategic plans. Assessment and review of the standard of work of subordinate staff is also a requirement of this level.

Work at this level requires a knowledge and awareness of agency operations as well as detailed knowledge of major activities of the work unit.

The requirement to interpret legislation, regulations and other guidance material relating to the operations and functions of the work area is necessary for adequate performance at this level.

SCHEDULE 3 - Generic Level Statements - Nursing Classifications

These Generic Level Statements are intended as broad descriptions of the role at each level of the career structure and should be applicable in all health settings where nurses practise. Specific job descriptions will, however, need to be developed for the specific positions at each of the career structure levels, e.g. Clinical Nurse Consultant Accident and Emergency.

LEVEL 1 - REGISTERED NURSE

Generic Level Statement	Responsibilities
The Registered Nurse is the first level nurse who is licensed to practise nursing without supervision and who assumes accountability and responsibility for own actions and acts to rectify unsafe nursing practice and/or unprofessional conduct. It is essential that the nurse appears on the Australian Health Practitioner Regulation Agency (AHPRA) Register of Practitioners as a Registered Nurse (Division 1).	The Registered Nurse gives direct nursing care based on the Nursing and Midwifery Board of Australia (NMBA) competencies, to a group of residents/clients in collaboration with the Clinical Nurse/Clinical Nurse Consultant. These NMBA competencies are grouped as follows:

Generic Level Statement	Responsibilities
<p>The degree of expertise will increase as the Registered Nurse advances through this level.</p> <p>The nurse may be a beginning practitioner or a Registered Nurse returning to the field after a period of absence.</p>	<p>PROFESSIONAL PRACTICE</p> <ol style="list-style-type: none"> 1. Practises in accordance with legislation affecting nursing practice and health care. 2. Practises within a professional and ethical nursing framework. <p>CRITICAL THINKING AND ANALYSIS</p> <ol style="list-style-type: none"> 3. Practises within an evidence-based framework. 4. Participates in ongoing professional development of self and others. <p>PROVISION AND COORDINATION OF CARE</p> <ol style="list-style-type: none"> 5. Conducts a comprehensive and systematic nursing assessment. 6. Plans nursing care in consultation with individuals/groups, significant others and the interdisciplinary health care team. 7. Provides comprehensive, safe and effective evidence-based nursing care to achieve identified individual/group health outcomes. 8. Evaluates progress towards expected individual/group health outcomes in consultation with individuals/groups, significant others and interdisciplinary health care team. <p>COLLABORATIVE AND THERAPEUTIC PRACTICE</p> <ol style="list-style-type: none"> 9. Establishes, maintains and appropriately concludes therapeutic relationships. 10. Collaborates with the interdisciplinary health care team to provide comprehensive nursing care.

LEVEL 2 - CLINICAL NURSE

Generic Level Statement	Responsibilities
<p>A Clinical Nurse means a Registered Nurse who is appointed as such.</p> <p>The Clinical Nurse role requires a broad developing knowledge in profession nursing issues and a sound specific knowledge-base in relation to a field of practice.</p> <p>The Clinical Nurse assumes accountability and responsibility for own actions and acts to rectify unsafe nursing practice and/or unprofessional conduct.</p> <p>A Clinical Nurse is responsible for a specific client population, and is able to function in more complex situations while providing support and direction to personnel.</p> <p>The Clinical Nurse identifies, selects, implements and evaluates nursing interventions that have less predictable outcomes.</p> <p>The Clinical Nurse is able to demonstrate:</p> <ul style="list-style-type: none"> • advanced level clinical skills and problem-solving skills; • planning and co-ordination skills in the clinical management of patient care; • ability to work within a collegiate/team structure; 	<ol style="list-style-type: none"> 1. Gives direct care to a group of patients/clients. 2. Acts as a role model for Registered Nurses and other non-registered personnel in the provision of holistic patient/client care. 3. Takes additional responsibility delegated from the CNC which clearly differentiates the role from that of the Registered Nurses e.g.: <ul style="list-style-type: none"> • planning and co-ordination of ward/unit education programmes and other staff development activities; • orientation of new staff; • preceptorship for new staff; and • participates in action research. 4. Participates in nursing policy review and initiatives. 5. Co-operates with other Clinical Nurses in relation to development of programs and initiatives. 6. Ensures a safe working environment.

Generic Level Statement	Responsibilities
<ul style="list-style-type: none"> • awareness of and involvement with the quality assurance process; and • contribution to the professional practice of the unit. 	

SCHEDULE 4 - Stream Allocation

The following existing positions or classes of position are to be allocated to the Streams as indicated hereunder:

Administrative Stream

Administrative Assistant
Administrative Support Officer
Administration Officer
Administration Manager
Director
Training Coordinator
Compliance Officer
Coordinator Contracts
Coordinator Marketing and Promotions
Executive Officer
Manager
Marketing Manager
Project Officer
Senior Administration Officer
Student Services Manager
Student Services Coordinator

Professional Stream

Librarian

Technical Stream

Library Technician

Operational Stream

Support Officer
Production Officer
Senior Production Officer
Production Coordinator
Production Officer
Duty Officer

By the Commission,
[L.S.] G.D. SAVILL,
Industrial Registrar.