

**INDUSTRIAL RELATIONS  
AWARDS, RATES & EMPLOYMENT**

Transport Worker Award 1998 –  
**Delivery drivers and/or wrapper/roller and/or  
wrapper/roller/delivery Driver**

## TRANSPORT WORKERS AWARD 1998

### WRAPPER/ROLLER/DELIVERY DRIVER or DELIVERY DRIVER

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This amended wage schedule incorporates the \$21.66 per week Australian Fair Pay Commission (AFPC) Wage-Setting Decision 2008.

<b>These rates replace the Schedule dated 1<sup>st</sup> October 2007</b>
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**OPERATIVE DATE: From the First Pay Period on or after 1 October 2008**

*Remember - 9% Superannuation*

#### RATES OF PAY (CLAUSE 15)

WEEKLY FULL TIME AND PART TIME						OVERTIME	
Grade	Weekly Award Rate	Part Time Hourly Rate	Saturday T + 50%	Sunday T + 100%	Public Holiday (excl. Xmas Day & Good Friday) T + 150%	1 <sup>st</sup> 2 Hours T + 50%	Thereafter T + 100%
2	\$592.80	\$15.60	\$23.40	\$31.20	\$39.00	\$23.40	\$31.20
					Xmas Day & Good Friday T + 200%		
					\$46.80		
CASUALS						Overtime	
		Casual Hourly Rate Inc. 25% Loading	Saturday T + 50% (inc. 10% Loading)	Sunday T + 100% (Inc. 10% Loading)	Public Holiday (excl. Xmas Day & Good Friday) T + 150% + 10% Loading	1 <sup>st</sup> 2 Hours T + 50% + 10% Loading	Thereafter T + 100% + 10% Loading
2		\$19.50	\$24.96	\$32.76	\$40.56	\$24.96	\$32.76

**Important Disclaimer:-**

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## 1. Juniors (Clause 16)

- Under 19 years of age: 70% of the base wage payable to an adult for the class of work performed.
- 19 years and under 20 years of age: 80% of the base wage payable to an adult for the class of work performed.
- 20 years of age: The full rate payable to an adult employee for the class of work performed in the area in which it is performed.

Where a junior employee aged eighteen years or more is required to drive a motor vehicle and is in sole charge of that vehicle, the employee shall be paid the adult rate.

## 2. Classification

Grade 2 Loader – freight forwarder  
Tow Motor driver  
Driver of a rigid vehicle (including a motor cycle) not exceeding 4.5 tonnes gross vehicle mass (GVM)

## 3. Types of Employment (Clause 12)

Employees under this award will be employed in one of the following categories:

- (a) Full time employees;
- (b) Part-time employees; or
- (c) Casual employees.

At the time of engagement an employer will inform each employee of the terms and conditions of their engagement and in particular whether they are to be full-time, regular part-time or casual.

### Part-Time Employees

The terms of this award shall apply pro-rata to part-time employees.

A part-time employee must be given a **minimum of four hours work** per engagement (*unless otherwise agreed in writing*). Overtime will apply when a part-time employee works greater than 38 hours per week.

### Casual Employees

A casual employee is an employee engaged as such and paid by the hour. A casual employee will receive an additional 25% loading. This loading is paid in lieu of annual leave, personal leave and public holidays entitlements.

A casual employee must be given a **minimum of four hours work** per engagement (*unless otherwise agreed in writing*).

A casual employee that works outside the ordinary hours of work will be entitled to be paid a 10% loading in addition to the ordinary overtime rate of pay for the class of work performed.

## 4. Meal Breaks (Clause 36)

An employee is entitled to a meal break of at least 30 minutes but not more than 1 hour. This break shall be taken not before the first three and a half hours of the day and no later than five and half hours into the day.

An employee who works overtime for two hours or more after an ordinary day's work is entitled to an additional 20 minute paid meal break.

## 5. Public Holidays (Clause 42)

**Weekly Employee** - All time worked on a Public Holiday by a full-time or part-time employee shall be paid as follows:

- On Good Friday and the Christmas Day holiday – Triple Time
- On any other holiday – Double Time and a half

The minimum payment shall be as for four hours' work.

**Casual Employees** – All time worked on a public holiday by a casual employee shall be paid as follows:

- On Good Friday and the Christmas Day holiday – Triple Time
- On any other holiday – Double Time and a half

The minimum payment shall be as for four hours' work.

As well as the above payment described in this clause, the additional 10% loading shall be paid (see clause 12.5)

## 6. Overtime (Clause 37)

Overtime will be payable at the rate of time and a half for the first two hours and double time thereafter for work done in excess of 38 hours per week or work performed outside the hours of 5.30am and 6.30pm. *(Unless agreed in writing 4.30am).*

Saturday work will be paid for at the rate of time and a half for the first two hours and double time thereafter.

Sunday work will be paid at the rate of double time.

## 7. Annual Leave

See Work Choices Annual Leave Fact Sheet

## 8. Personal / Carer's Leave

See Work Choices Personal / Carer's Leave Fact Sheet

## 9. Compassionate Leave

See Work Choices Personal / Carer's Leave Fact Sheet

## 10. Long Service Leave

Employees employed under this award are entitled to Long Service Leave as outlined in the Victorian Long Service Leave Act 1992.

## 11. Notice of Termination by Employer (Clause 13)

In order to terminate the employment of a full-time or regular part time employee (but not a casual employee) the employer must give at least the period of notice in the below table or by the payment or ordinary time earnings for the period of the notice.

Employees period of continuous service	PERIOD OF NOTICE
Less than 1 year	At least 1 week
1 – 3 years	At least 2 weeks
3 – 5 years	At least 3 weeks
More than 5 years	At least 4 weeks

Employees over 45 years of age who have at least 2 years continuous service are entitled to an additional weeks notice.

## 12. Notice of Terminations by Employee (Clause 14)

The notice of termination required to be given by an employee is **the same** as the required of an employer, except that there is no requirement to give additional notice based on the age of the employee.

If notice is not given, an employer may deduct from monies due to employee for the period of the notice not given.

## 13. Redundancy (Clause 14)

Where 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, the employee may be entitled to severance pay, in addition to the notice required:

<b>Severance Pay – employees of a small employer</b>	
<i>Period of continuous service</i>	<b>Severance Pay</b>
1 year or less	NIL
1 year and up to the completion of 2 years	4 weeks' pay
2 years and up to the completion of 3 years	6 weeks' pay
3 years and up to the completion of 4 years	8 weeks' pay
4 years and over	8 week's pay

Employers with less than 15 employees may be exempted from paying severance pay, unless the Australian Industrial Relations Commission makes an order for payment.

Employers with more than 15 employees should contact VANA for further information.

*Before terminating an employee or making an employee redundant, please contact VANA for guidance on the correct procedure. For all your industrial relations inquiries telephone VANA on (03) 9482 2911.*

### **ALL MEMBERS PLEASE NOTE:**

#### **Hours of Employment Agreement**

The "Hours of Employment Agreement" form must be filled in by the employee and employer when:

- The hours of work commencement time is changed from 5.30am to 4.30am *and/or*
- The minimum engagement of 4 hours work is reduced.

A pro forma Agreement is attached or available to download on the VANA website – [www.vana.com.au](http://www.vana.com.au)

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Letterhead: [Newsagency / Distribution name]

**Transport Workers Award 1998  
Hours of Employment Agreement**

Employee's Name: \_\_\_\_\_

Employee's Address: \_\_\_\_\_  
\_\_\_\_\_

Employee's Position: \_\_\_\_\_

Full-Time/Part-  
Time/Casual \_\_\_\_\_

Drivers Licence Number: \_\_\_\_\_

Due to the Work Choices Legislation implemented on the 27<sup>th</sup> March 2006 and the Common Rule Award changes implemented on 1<sup>st</sup> January 2005 and the provision by declaration that the Transport Workers Victorian Common Rule Award 2005 is applicable to your position we wish to confirm your hours of work details and obtain your agreement to work these hours.

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**I agree that my position of Delivery driver / wrapper / roller with the above Employer requires my hours of work to commence at ..... am and finish at (approximately) ..... am Monday to Friday/Saturday/Sunday and there is no minimum hours of employment in any one day. I accept these hours of work as a condition of my employment.**

Employees Name: \_\_\_\_\_  
Please Print

Employees Signature: \_\_\_\_\_

Date: \_\_\_\_\_