

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Workplace Relations Act 1996

Review of awards pursuant to Item 51 of Part 2 of Schedule 5 of the
Workplace Relations and Other Legislation Amendment Act 1996
(C No. 01229 of 1998)

TRANSPORT WORKERS SPRAYPAVE PTY LTD AWARD 1990

(ODN C No. 00046 of 1984)

[Print J5700 [T0271]]

Various employees

Building, metal and civil construction industries

COMMISSIONER LARKIN

SYDNEY, 19 OCTOBER 1999

Award simplification.

ORDER

A. Further to the decision issued by the Commission on 1 October 1999 [Print R9642] the above award is varied as follows:

By deleting all clauses and appendices and inserting the following:

1. AWARD TITLE

This award will be known as the Transport Workers Spraypave Pty Ltd Award 1999.

2. ARRANGEMENT

This award is arranged as follows:

1. Award title
2. Arrangement
3. Definitions
4. Date the award starts
5. Where and who the award covers
6. Who is bound by the award
7. Relationship to other awards
8. Classifications and wage structure
9. Rates of pay

3. DEFINITIONS

3.1 Employer means Pioneer Road Services Pty Ltd.

3.2 Union means the Transport Workers' Union of Australia.

3.3 The Act means the *Workplace Relations Act 1996* as amended from time to time.

4. DATE THE AWARD STARTS

The award will commence on 19 October 1999 and will remain in force for a period of six months.

5. WHERE AND WHO THE AWARD COVERS

5.1 Where does the award apply?

The award applies in all States and Territories of Australia.

5.2 Who does the award apply to?

This award shall apply to all employees of Pioneer Road Services Pty Ltd engaged in or in connection with:

- 5.2.1** the manufacture, placement or delivery of bituminous products or activities incidental thereto
- 5.2.2** the maintenance or construction of plant and equipment
- 5.2.3** the maintenance and propagation of clerical records
- 5.2.4** or any other activity undertaken by Pioneer Road Services Pty Ltd within Australia.

6. WHO IS BOUND BY THE AWARD?

6.1 This award binds:

- 6.1.1** the Transport Workers' Union, its Federal and State officers, and its members; and
- 6.1.2** Pioneer Road Services Pty Ltd.

6.2 The award applies to the employees of the employer identified above, whether members of the unions or not.

7. RELATIONSHIP TO OTHER AWARDS

This award replaces the Transport Workers Spraypave Pty Ltd Award 1990. Any conditions previously accrued by employees under that award will not be affected by the commencement of this award.

8. CLASSIFICATIONS AND WAGE STRUCTURE

Employees will be classified as follows:

8.1 Group 1

A bitumen plant operator - group 1 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 1 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 1

- Yardman
- Slurry rake hand
- Drum filler/washer
- Labourer
- Traffic controller
- Sprayer operator
- Spreader hand

8.2 Group 2

A bitumen plant operator - group 2 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 2 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 2

- Flat top truck driver
- Sign truck driver
- Bus driver
- Precoater operator
- Loader driver
- Steel roller driver
- Rubber-tyre roller driver
- Tractor driver
- Broom operator
- Fork-lift driver
- Light vehicle driver

Other plant operator
Refueller driver
Pick up broom operator
Clerical driver
Bitumen emulsion tackcoater
Product loader
Load despatcher

8.3 Group 3

A bitumen plant operator - group 3 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 3 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 3

Tipper driver operating with spreader hand
Bulk bitumen delivery driver
Semitrailer driver
Slurry machine driver

8.4 Group 4

A bitumen plant operator - group 4 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 4 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - group 4

Bulk bitumen "road train driver"
Linemarket driver

8.5 Group 5

A bitumen plant operator - group 5 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 5 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 5

- Bitumen sprayer driver (requires an assistant to complete "supply and spray" work)
- Linemarking operator
- Tipper driver operating without spreader hand
- Unqualified fitter
- Unqualified mechanic
- Unqualified welder

8.6 Group 6

A bitumen plant operator - group 6 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 6 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 6

- Bitumen sprayer driver (requires no assistance to complete "supply and spray" works)
- Slurry machine operator
- Leading hand with supervisor or foreman
- Bitumen emulsion plant operator
- Fitter (trade certificate)
- Welder (trade certificate)
- Mechanic (trade certificate)

8.7 Group 7

A bitumen plant operator - group 7 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 7 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - Group 7

Leading hand

8.8 Group 8

A bitumen plant operator - group 8 shall mean an employee classified as such who is engaged on work in the manufacture of bituminous products, their placement or delivery and activities incidental thereto or any other activities undertaken by Pioneer Road Services Pty Ltd. The bitumen plant operator - group 8 may be required by the employer to perform any general duties including the completion of maintenance reports, minor maintenance of equipment and assisting with other maintenance, together with any of the duties listed hereunder, inclusive of trailer operations where required and, for training purposes, the duties of higher groups of bitumen plant operators.

Duties - group 8

Foreman

9. RATES OF PAY

9.1 Employees other than casuals shall be paid at the rate specified for their classification below:

Classification	Minimum Rate	Residual Component	Total Award Rate
Bitumen Plant operator	\$	\$	\$
Group 1	414.60	50.80	465.40
Group 2	423.00	52.70	475.70
Group 3	431.30	54.90	486.20
Group 4	439.70	53.40	493.10
Group 5	460.50	56.50	517.00
Group 6	477.20	58.50	535.70
Group 7	493.90	62.30	556.20
Group 8	510.60	63.00	573.60

- 9.2** The residual component in the above table represents the total of the component above the minimum rate. Individual employees entitled to the Total Award Rate at the time this award was made will not be paid less than that rate. Any future increases in rates in the award will only be applied to the minimum rates component and absorbed against the residual component.
- 9.3** The rates of pay in this award include the arbitrated safety net adjustment payable under the April 1998 and April 1999 Safety Net Review – Wages *decisions* [Prints Q1998 and R 1999]. This arbitrated safety net 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 above award payments include wages payable pursuant to certified agreements, currently operating enterprise flexibility agreements, Australian workplace agreements, award variations to give effect to enterprise agreements and overaward arrangements. Absorption which is contrary to the terms of an agreement is not required.
- 9.4** Increases made under previous National Wage Case principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

B. This order will come into force on 19 October 1999 and will remain in force for a period of six months.

BY THE COMMISSION:

COMMISSIONER

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