Schedule E—National Training Wage

[Varied by <u>PR991646</u>; Sched D inserted by <u>PR994435</u>, renumbered as Sched E by <u>PR996490</u>, varied by <u>PR998689</u>, <u>PR509053</u>, <u>PR522884</u>, <u>PR536687</u>]

E.1 Title

This is the *National Training Wage Schedule*.

E.2 Definitions

In this schedule:

adult trainee is a trainee who would qualify for the highest minimum wage in Wage Level A, B or C if covered by that wage level

approved training means the training specified in the training contract

Australian Qualifications Framework (AQF) is a national framework for qualifications in post-compulsory education and training

out of school refers only to periods out of school beyond Year 10 as at the first of January in each year and is deemed to:

- (a) include any period of schooling beyond Year 10 which was not part of or did not contribute to a completed year of schooling;
- (b) include any period during which a trainee repeats in whole or part a year of schooling beyond Year 10; and
- (c) not include any period during a calendar year in which a year of schooling is completed

relevant State or Territory training authority means the bodies in the relevant State or Territory which exercise approval powers in relation to traineeships and register training contracts under the relevant State or Territory vocational education and training legislation

relevant State or Territory vocational education and training legislation means the following or any successor legislation:

Australian Capital Territory: Training and Tertiary Education Act 2003;

New South Wales: Apprenticeship and Traineeship Act 2001;

Northern Territory: Northern Territory Employment and Training Act 1991;

Queensland: Vocational Education, Training and Employment Act 2000;

South Australia: Training and Skills Development Act 2008;

Tasmania: Vocational Education and Training Act 1994;

Victoria: Education and Training Reform Act 2006; or

Western Australia: Vocational Education and Training Act 1996

trainee is an employee undertaking a traineeship under a training contract

traineeship means a system of training which has been approved by the relevant State or Territory training authority, which meets the requirements of a training package developed by the relevant Industry Skills Council and endorsed by the National Quality Council, and which leads to an AQF certificate level qualification

training contract means an agreement for a traineeship made between an employer and an employee which is registered with the relevant State or Territory training authority

training package means the competency standards and associated assessment guidelines for an AQF certificate level qualification which have been endorsed for an industry or enterprise by the National Quality Council and placed on the National Training Information Service with the approval of the Commonwealth, State and Territory Ministers responsible for vocational education and training, and includes any relevant replacement training package

year 10 includes any year before Year 10

E.3 Coverage

- **E.3.1** Subject to clauses E.3.2 to E.3.6 of this schedule, this schedule applies in respect of an employee covered by this award who is undertaking a traineeship whose training package and AQF certificate level is allocated to a wage level by Appendix E1 to this schedule or by clause E.5.4 of this schedule.
- **E.3.2** This schedule only applies to AQF Certificate Level IV traineeships for which a relevant AQF Certificate Level III traineeship is listed in Appendix E1 to this schedule.
- **E.3.3** This schedule does not apply to the apprenticeship system or to any training program which applies to the same occupation and achieves essentially the same training outcome as an existing apprenticeship in an award as at 25 June 1997.
- **E.3.4** This schedule does not apply to qualifications not identified in training packages or to qualifications in training packages which are not identified as appropriate for a traineeship.
- **E.3.5** Where the terms and conditions of this schedule conflict with other terms and conditions of this award dealing with traineeships, the other terms and conditions of this award prevail.
- **E.3.6** At the conclusion of the traineeship, this schedule ceases to apply to the employee.

E.4 Types of Traineeship

The following types of traineeship are available under this schedule:

- **E.4.1** a full-time traineeship based on 38 ordinary hours per week, with 20% of ordinary hours being approved training; and
- **E.4.2** a part-time traineeship based on less than 38 ordinary hours per week, with 20% of ordinary hours being approved training solely on-the-job or partly on-the-job and partly off-the-job, or where training is fully off-the-job.

E.5 Minimum Wages

[E.5 substituted by <u>PR998689</u>, <u>PR509053</u>, <u>PR522884</u>, <u>PR536687</u> ppc 01Jul13]

E.5.1 Minimum wages for full-time traineeships

(a) Wage Level A

Subject to clause E.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix E1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	per week	per week
	\$	\$	\$
School leaver	279.50	307.90	366.80
Plus 1 year out of school	307.90	366.80	426.80
Plus 2 years out of school	366.80	426.80	496.70
Plus 3 years out of school	426.80	496.70	568.70
Plus 4 years out of school	496.70	568.70	
Plus 5 or more years out of school	568.70		

(b) Wage Level B

Subject to clause E.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix E1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per week	Per week	per week
	\$	\$	\$
School leaver	279.50	307.90	356.90
Plus 1 year out of school	307.90	356.90	410.50
Plus 2 years out of school	356.90	410.50	481.40
Plus 3 years out of school	410.50	481.40	549.10
Plus 4 years out of school	481.40	549.10	
Plus 5 or more years out of school	549.10		

(c) Wage Level C

Subject to clause E.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix E1 are:

	Highest year of schooling completed		
	Year 10 Year 11		Year 12
	per week	per week	per week
	\$	\$	\$
School leaver	279.50	307.90	356.90
Plus 1 year out of school	307.90	356.90	401.70
Plus 2 years out of school	356.90	401.70	448.70
Plus 3 years out of school	401.70	448.70	500.00
Plus 4 years out of school	448.70	500.00	
Plus 5 or more years out of school	500.00		

(d) AQF Certificate Level IV traineeships

- (i) Subject to clause E.5.3 of this schedule, the minimum wages for a trainee undertaking a full-time AQF Certificate Level IV traineeship are the minimum wages for the relevant full-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clause E.5.3 of this schedule, the minimum wages for an adult trainee undertaking a full-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per week	per week
	\$	\$
Wage Level A	590.60	613.50
Wage Level B	569.80	591.70
Wage Level C	518.50	538.20

E.5.2 Minimum wages for part-time traineeships

(a) Wage Level A

Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level A by Appendix E1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	9.19	10.14	12.07
Plus 1 year out of school	10.14	12.07	14.05
Plus 2 years out of school	12.07	14.05	16.34
Plus 3 years out of school	14.05	16.34	18.70
Plus 4 years out of school	16.34	18.70	
Plus 5 or more years out of school	18.70		

(b) Wage Level B

Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level B by Appendix E1 are:

	Highest year of schooling completed		
	Year 10	Year 11	Year 12
	per hour	per hour	per hour
	\$	\$	\$
School leaver	9.19	10.14	11.75
Plus 1 year out of school	10.14	11.75	13.50
Plus 2 years out of school	11.75	13.50	15.84
Plus 3 years out of school	13.50	15.84	18.07
Plus 4 years out of school	15.84	18.07	
Plus 5 or more years out of school	18.07		

(c) Wage Level C

Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Level C by Appendix E1 are:

	Highest year of schooling completed		
	Year 10 per hour \$	Year 11 per hour \$	Year 12 per hour \$
	·	·	•
School leaver	9.19	10.14	11.75
Plus 1 year out of school	10.14	11.75	13.21
Plus 2 years out of school	11.75	13.21	14.76
Plus 3 years out of school	13.21	14.76	16.45

	Highest year of schooling completed		
	Year 10 per hour	Year 11	Year 12 per hour
		per hour	
	\$	\$	\$
Plus 4 years out of school	14.76	16.45	
Plus 5 or more years out of school	16.45		

(d) School-based traineeships

Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for a trainee undertaking a school-based AQF Certificate Level I–III traineeship whose training package and AQF certificate levels are allocated to Wage Levels A, B or C by Appendix E1 are as follows when the trainee works ordinary hours:

Year of schooling

Year 11 or lower	Year 12
per hour	per hour
\$	\$
9.19	10.14

(e) AQF Certificate Level IV traineeships

- (i) Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for a trainee undertaking a part-time AQF Certificate Level IV traineeship are the minimum wages for the relevant part-time AQF Certificate Level III traineeship with the addition of 3.8% to those minimum wages.
- (ii) Subject to clauses E.5.2(f) and E.5.3 of this schedule, the minimum wages for an adult trainee undertaking a part-time AQF Certificate Level IV traineeship are as follows, provided that the relevant wage level is that for the relevant AQF Certificate Level III traineeship:

Wage level	First year of traineeship	Second and subsequent years of traineeship
	per hour	per hour
	\$	\$
Wage Level A	19.43	20.18
Wage Level B	18.73	19.46
Wage Level C	17.06	17.71

(f) Calculating the actual minimum wage

(i) Where the full-time ordinary hours of work are not 38 or an average of 38 per week, the appropriate hourly minimum wage is obtained by multiplying the relevant minimum wage in clauses E.5.2(a)–(e) of this schedule by 38 and then dividing the figure obtained by the full-time ordinary hours of work per week.

- (ii) Where the approved training for a part-time traineeship is provided fully off-the-job by a registered training organisation, for example at school or at TAFE, the relevant minimum wage in clauses E.5.2(a)–(e) of this schedule applies to each ordinary hour worked by the trainee.
- (iii) Where the approved training for a part-time traineeship is undertaken solely on-the-job or partly on-the-job and partly off-the-job, the relevant minimum wage in clauses E.5.2(a)–(e) of this schedule minus 20% applies to each ordinary hour worked by the trainee.

E.5.3 Other minimum wage provisions

- (a) An employee who was employed by an employer immediately prior to becoming a trainee with that employer must not suffer a reduction in their minimum wage per week or per hour by virtue of becoming a trainee. Casual loadings will be disregarded when determining whether the employee has suffered a reduction in their minimum wage.
- (b) If a qualification is converted from an AQF Certificate Level II to an AQF Certificate Level III traineeship, or from an AQF Certificate Level III to an AQF Certificate Level IV traineeship, then the trainee must be paid the next highest minimum wage provided in this schedule, where a higher minimum wage is provided for the new AQF certificate level.

E.5.4 Default wage rate

The minimum wage for a trainee undertaking an AQF Certificate Level I–III traineeship whose training package and AQF certificate level are not allocated to a wage level by Appendix E1 is the relevant minimum wage under this schedule for a trainee undertaking an AQF Certificate to Level I–III traineeship whose training package and AQF certificate level are allocated to Wage Level B.

E.6 Employment conditions

- **E.6.1** A trainee undertaking a school-based traineeship may, with the agreement of the trainee, be paid an additional loading of 25% on all ordinary hours worked instead of paid annual leave, paid personal/carer's leave and paid absence on public holidays, provided that where the trainee works on a public holiday then the public holiday provisions of this award apply.
- **E.6.2** A trainee is entitled to be released from work without loss of continuity of employment and to payment of the appropriate wages to attend any training and assessment specified in, or associated with, the training contract.
- **E.6.3** Time spent by a trainee, other than a trainee undertaking a school-based traineeship, in attending any training and assessment specified in, or associated with, the training contract is to be regarded as time worked for the employer for the purposes of calculating the trainee's wages and determining the trainee's employment conditions.
- **E.6.4** Subject to clause E.3.5 of this schedule, all other terms and conditions of this award apply to a trainee unless specifically varied by this schedule.

Appendix E1: Allocation of Traineeships to Wage Levels

The wage levels applying to training packages and their AQF certificate levels are:

E1.1 Wage Level A

Training package	AQF certificate level
Aeroskills	II
Aviation	I
	II
D	III
Beauty	III -
Business Services	I II
	III
Chemical, Hydrocarbons and Refining	I
	II
	III
Civil Construction	III
Coal Training Package	II III
Community Services	II III
Construction, Plumbing and Services	I
Integrated Framework	II
	III
Correctional Services	II
D :III	III
Drilling	II III
Electricity Supply Industry—Generation	II
Sector Sector	III (in Western Australia only)
Electricity Supply Industry—Transmission,	II
Distribution and Rail Sector	
Electrotechnology	I
	II III (in Western Australia only)
Financial Services	I
2	II
	III
Floristry	III
Food Processing Industry	III

Gas Industry III Information and Communications I Technology III III Laboratory Operations II III Local Government (other than Operational IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	Training package	AQF certificate level
Technology II IIII Laboratory Operations III Local Government (other than Operational IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	Gas Industry	III
Laboratory Operations III Local Government (other than Operational Works Cert I and II) Manufactured Mineral Products III Manufacturing I III Manufacturing I III Maritime I IIII Metal and Engineering (Technical) IIII Metalliferous Mining IIII Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Pulp and Paper Manufacturing Industries III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III	Information and Communications	I
Laboratory Operations II III Local Government (other than Operational Works Cert I and II) III Manufactured Mineral Products III Manufacturing III Manufacturing III Maritime IIII Metal and Engineering (Technical) IIII Metalliferous Mining IIII Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Plublic Safety III Public Sector III Pulp and Paper Manufacturing Industries Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events III III III III III III III	Technology	
Local Government (other than Operational Works Cert I and II) III Manufactured Mineral Products III Manufacturing III Maritime III Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events III	Laboratory Operations	
Works Cert I and II) Manufactured Mineral Products III Manufacturing I III Manufacturing I III Maritime I III Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events	Laboratory Operations	
Manufactured Mineral Products Manufacturing II Manufacturing II III Maritime I III Metal and Engineering (Technical) III Metalliferous Mining II Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Public Sector II Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events III III III III III III III	Local Government (other than Operational	I
Manufactured Mineral Products Manufacturing I III III Maritime I Metal and Engineering (Technical) Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events	Works Cert I and II)	
Manufacturing II III Maritime I III Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events II	M. C. A. INC. AD. A.	
Maritime II III Maritime I III Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Public Sector II Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III III III III III III III		
Maritime III Maritime I III III Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events	Manufacturing	<u>-</u>
Metal and Engineering (Technical) Metal and Engineering (Technical) II III Metalliferous Mining II Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events		III
Metal and Engineering (Technical) III Metalliferous Mining II Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking Public Safety III Public Sector II Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events	Maritime	-
Metal and Engineering (Technical) III Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events		
Metalliferous Mining III Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Retail Services (including wholesale and Community pharmacy) Telecommunications III Textiles, Clothing and Footwear III Tourism, Hospitality and Events	Metal and Engineering (Technical)	
Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III	Wetar and Engineering (Teenmear)	
Museum, Library and Library/Information Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III	Metalliferous Mining	II
Services III Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events I		III
Plastics, Rubber and Cablemaking III Public Safety III Public Sector II Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III	· · · · · · · · · · · · · · · · · · ·	
Public Safety III Public Sector II Fulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events III		
Public Sector II III Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II Textiles, Clothing and Footwear III Tourism, Hospitality and Events I		
Pulp and Paper Manufacturing Industries III Retail Services (including wholesale and Community pharmacy) Telecommunications II III Textiles, Clothing and Footwear III Tourism, Hospitality and Events I	•	
Retail Services (including wholesale and Community pharmacy) Telecommunications II III Textiles, Clothing and Footwear III Tourism, Hospitality and Events I	Public Sector	
Community pharmacy) Telecommunications II III Textiles, Clothing and Footwear III Tourism, Hospitality and Events I	Pulp and Paper Manufacturing Industries	III
Telecommunications II III Textiles, Clothing and Footwear III Tourism, Hospitality and Events I		III
Textiles, Clothing and Footwear III Tourism, Hospitality and Events I	` &	
Textiles, Clothing and Footwear III Tourism, Hospitality and Events I	Telecommunications	
Tourism, Hospitality and Events I		
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11	Tourism, Hospitality and Events	I II
III		
Training and Assessment III	Training and Assessment	III
Transport and Distribution III	Transport and Distribution	III
Water Industry (Utilities) III	Water Industry (Utilities)	III

E1.2 Wage Level B

Training package	AQF certificate level
Animal Care and Management	I
	II III
Asset Maintenance	I
Asset Maintenance	II
	III
Australian Meat Industry	I
	II III
Automotive Industry Manufacturing	II
	III
Automotive Industry Retail, Service and	I
Repair	II III
Beauty	II
•	II
Caravan Industry	III
Civil Construction	I
Community Recreation Industry	III
Entertainment	I
	II
	III
Extractive Industries	II III
Fitness Industry	III
Floristry	II
Food Processing Industry	I
Tood Processing industry	II
Forest and Forest Products Industry	I
	II
P	III
Furnishing	I II
	III
Gas Industry	I
	II
Health	II III
Local Government (Operational Worlds)	III I
Local Government (Operational Works)	I

Training package	AQF certificate level
Manufactured Mineral Products	I
Maria de la companya	II
Metal and Engineering (Production)	II II
Outdoor Recreation Industry	I
	II
	III
Plastics, Rubber and Cablemaking	II
Printing and Graphic Arts	II
D	III
Property Services	I II
	III
Public Safety	I
	II
Pulp and Paper Manufacturing Industries	I
	II
Retail Services	I II
Screen and Media	I
Screen and Media	II
	III
Sport Industry	II
	III
Sugar Milling	I
	II II
Textiles, Clothing and Footwear	I
Textiles, Clouming and Footwear	II
Transport and Logistics	I
, ,	II
Visual Arts, Craft and Design	I
	II II
Water Industry	III
Water Industry	II

E1.3 Wage Level C

Training package	AQF certificate level
Agri-Food	I
Amenity Horticulture	I II III
Conservation and Land Management	I II III
Funeral Services	I II
Music	I II III
Racing Industry	I II III
Rural Production	I II
Seafood Industry	I II III

Schedule F—Supported Wage System

[Varied by <u>PR991646</u>; Sched E renumbered as Sched F by <u>PR996490</u> ppc 23Apr10, varied by <u>PR994435</u>, <u>PR998748</u>, <u>PR510670</u>, <u>PR525068</u>, <u>PR537893</u>]

F.1 This schedule defines the conditions which will apply to employees who because of the effects of a disability are eligible for a supported wage under the terms of this award.

F.2 In this schedule:

approved assessor means a person accredited by the management unit established by the Commonwealth under the supported wage system to perform assessments of an individual's productive capacity within the supported wage system

assessment instrument means the tool provided for under the supported wage system that records the assessment of the productive capacity of the person to be employed under the supported wage system

disability support pension means the Commonwealth pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991*, as amended from time to time, or any successor to that scheme

relevant minimum wage means the minimum wage prescribed in this award for the class of work for which an employee is engaged

supported wage system means the Commonwealth Government system to promote employment for people who cannot work at full award wages because of a disability, as documented in the Supported Wage System Handbook. The Handbook is available from the following website: www.jobaccess.gov.au

SWS wage assessment agreement means the document in the form required by the Department of Education, Employment and Workplace Relations that records the employee's productive capacity and agreed wage rate

F.3 Eligibility criteria

- **F.3.1** Employees covered by this schedule will be those who are unable to perform the range of duties to the competence level required within the class of work for which the employee is engaged under this award, because of the effects of a disability on their productive capacity and who meet the impairment criteria for receipt of a disability support pension.
- **F.3.2** This schedule does not apply to any existing employee who has a claim against the employer which is subject to the provisions of workers compensation legislation or any provision of this award relating to the rehabilitation of employees who are injured in the course of their employment.

F.4 Supported wage rates

F.4.1 Employees to whom this schedule applies will be paid the applicable percentage of the relevant minimum wage according to the following schedule:

Assessed capacity (clause F.5)	Relevant minimum wage
9/0	%
10	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90

[E.4.2 varied by PR994435, PR998748, PR510670, PR525068, PR537893 ppc 01Jul13]

- **F.4.2** Provided that the minimum amount payable must be not less than \$78 per week.
- **F.4.3** Where an employee's assessed capacity is 10%, they must receive a high degree of assistance and support.

F.5 Assessment of capacity

- **F.5.1** For the purpose of establishing the percentage of the relevant minimum wage, the productive capacity of the employee will be assessed in accordance with the Supported Wage System by an approved assessor, having consulted the employer and employee and, if the employee so desires, a union which the employee is eligible to join.
- **F.5.2** All assessments made under this schedule must be documented in an SWS wage assessment agreement, and retained by the employer as a time and wages record in accordance with the Act.

F.6 Lodgement of SWS wage assessment agreement

[E.6.1 varied by <u>PR994435</u> from 01Jan10]

F.6.1 All SWS wage assessment agreements under the conditions of this schedule, including the appropriate percentage of the relevant minimum wage to be paid to the employee, must be lodged by the employer with Fair Work Australia.

[E.6.2 varied by PR994435 from 01Jan10]

F.6.2 All SWS wage assessment agreements must be agreed and signed by the employee and employer parties to the assessment, provided that where a union which has an interest in the award is not a party to the assessment, it will be referred by Fair Work Australia to the union by certified mail and the agreement will take effect unless an objection is notified to Fair Work Australia within 10 working days.

F.7 Review of assessment

The assessment of the applicable percentage should be subject to annual or more frequent review on the basis of a reasonable request for such a review. The process of review must be in accordance with the procedures for assessing capacity under the supported wage system.

F.8 Other terms and conditions of employment

Where an assessment has been made, the applicable percentage will apply to the relevant minimum wage only. Employees covered by the provisions of this schedule will be entitled to the same terms and conditions of employment as other workers covered by this award on a pro rata basis.

F.9 Workplace adjustment

An employer wishing to employ a person under the provisions of this schedule must take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve re-design of job duties, working time arrangements and work organisation in consultation with other workers in the area.

F.10 Trial period

- **F.10.1** In order for an adequate assessment of the employee's capacity to be made, an employer may employ a person under the provisions of this schedule for a trial period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding four weeks) may be needed.
- **F.10.2** During that trial period the assessment of capacity will be undertaken and the percentage of the relevant minimum wage for a continuing employment relationship will be determined.
- [E.10.3 varied by <u>PR994435</u>, <u>PR998748</u>, <u>PR510670</u>, <u>PR525068</u>, <u>PR537893</u> ppc 01Jul13]
- **F.10.3** The minimum amount payable to the employee during the trial period must be no less than \$78 per week.
- **F.10.4** Work trials should include induction or training as appropriate to the job being trialled.
- **F.10.5** Where the employer and employee wish to establish a continuing employment relationship following the completion of the trial period, a further contract of employment will be entered into based on the outcome of assessment under clause F.5 hereof.