



# VECCI WORKPLACE RELATIONS SERVICES

## Allowance Summary

July 2015

(effective from the first full pay period on or after 1 July 2015)

### **Disclaimer**

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## VECCI Modern Award Allowance Summary July 2015

This Member Update provides information about the allowances that apply to employees covered by the Modern Award. Please refer to the July 2015 Wage Information excel for the applicable up-to-date wage rates. This can be located on your Modern Award subscription page.

### What has changed?

The Expert Panel of Fair Work Commission (“FWC”) has conducted the Annual Wage Review. The Expert Panel increased the national minimum wage and the minimum wage for each classification of each modern award by **2.5 %**.

The 2.5% increase is effective from the first full pay period on or after 1 July 2015.

Most Modern Award allowances have also increased either as part of the minimum wage increase or based upon the relevant consumer price index (CPI) sub-category. The allowances as published reflect the increase to the Modern Award wage rates.

### Absorption and Over-Award Rates

The 2.5% increase only applies to minimum wage rates, and can be absorbed into any amounts already being paid in excess of the minimum rate of pay.

### Individual and Collective Agreements

Please note also that employees covered by collective agreements and statutory individual agreements must at all times receive rates of pay at least equivalent to the relevant minimum Modern award rates. Accordingly, if the rates in any collective or statutory individual agreements fall below the new minimum rates, they will need to be adjusted accordingly.

### Future Decisions

Fair Work Commission will conduct an annual wage review and announce its wage setting decisions in June of each year.

### Further Information

We reiterate if you need any clarification about any issues in this update please do not hesitate to get in contact with VECCI’s Workplace Relations Helpline on 03 8662 5222.

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## Building and Construction General On-site Award 2010

### 20. Expense related allowances

**Note:** Some allowances are calculated on a percentage of the standard rate. The standard rate means either the weekly or hourly minimum wage as stated for a Level 3 (CW/ECW 3) employee in clause 19.1

\$ 764.90 or \$ 20.13

#### 20.1 Tool and employee protection allowance

(a) A tool allowance must be paid for all purposes of the award in accordance with the following table:

##### Classification

Artificial stoneworker, carpenter and/or joiner, carpenter-diver, carver, bridge and wharf carpenter, floor sander, letter cutter, marble and slate worker, stonemason or tilelayer

\$ 30.06 per week

Caster, fixer, floorlayer specialist or plasterer

\$ 28.84 per week

Refractory bricklayer or bricklayer

\$ 21.33 per week

Roof tiler, slate-ridger or roof fixer, tradespersons in the metals and engineering construction sector

\$ 15.74 per week

Signwriter, painter or glazier

\$ 7.22 per week

(b) The above allowance does not include the provision of the following tools or protective equipment. Where the following tools or protective equipment are provided by the employee then the employee must be reimbursed for the cost of such tools or protective equipment by the employer, or alternatively the employer may elect to provide such tools or protective equipment:

(i) **Bricklayers:** scutch comb; hammers (excepting mash and brick hammers); rubber mallets; and/or T squares.

(ii) **Carpenters and joiners:** dogs and cramps of all descriptions; bars of all descriptions, augers of all sizes, star bits and bits not ordinarily used in a brace, hammers, except claw hammers, glue pots and glue brushes, dowel plates, trammels, hand and thumb screws, spanners; and/or soldering irons.

(iii) **Stonemasons:** all cutting tools, except mash hammers, squares, pitching tools and straight edges up to four feet (1.2 metres) in length. On completion of engagement the cost of having all cutting tools sharpened; and/or jet sprays or some other suitable device for keeping the stone wet when using pneumatic surfacing machines and lathes.

(iv) **Plasterers:** all floating rules, trammels, centres, buckets and sieves. Stands for plasterers' mortar boards not less than 76 centimetres from the ground or where practicable and safe from a scaffold level; and/or overalls and the approved brush and roller to perform the work when required to brush on to walls and ceilings, bondcrete, plasterweld or similar substances.

(v) **Tradespersons in the metals and engineering construction sector:** power tools, special purpose tools, and precision measuring instruments for the use of tradespersons and for sheetmetal workers, snips used in the cutting of stainless steel, monel metal and similar hard metals.

A tradesperson will replace or pay for any tools supplied by their employer if lost through their negligence.

(vi) **Civil construction employees:** waterproof protective clothing required by an employee for particular tasks being performed, gloves, overalls, basil aprons and other appropriate protective clothing for employees using toxic substances, bitumen, tar, green timber, second-hand timber or bricks, a light coat or jacket with high visibility red markings for employees engaged on road work and/or railway work where traffic is not excluded by the use of continuous barriers or fences; and/or adequate detergents and solvents for the removal of excessive dirt, bitumen, emulsions, paint and similar substances from the employee's person.

Mess personnel will be reimbursed for the cost of purchasing at least three sets of appropriate clothing which will be laundered and maintained by the employer. These items will include shorts, shirts, trousers, aprons and caps. The provisions of this subclause do not apply where the items of clothing are provided free of charge by the employer. The items will remain the property of the employer.

(vii) **All employees:** all power tools and steel tapes over six metres, gloves and hand protective paste for employees engaged in handling hot bitumen, creosote, oiled formwork, refractory repair work and in washing down brickwork, protective clothing for employees required to use muriatic acid, suitable material and/or coloured glass for the protection of employees working on oxyacetylene or electric arc welding, suitable screens to protect employees from flash where electric arc operators are working, gas masks for employees engaged upon work where gas is present; and/or hand protective paste for any painter, signwriter, plasterer or glazier who requires its use.

(viii) **All employees other than refractory bricklayers** Where employees are required either by the employer or by legislation to wear steel toe capped safety boots the employer will reimburse employees for the cost of purchasing such boots on commencement of work. Subject to fair wear and tear, boots will be replaced each six months if required and sooner if agreed.

## Building and Construction General On-site Award 2010

### 20.1 Tool and employee protection allowance (con't)

(c) An employee required to use toxic substances covered by clause 22.2(i) in surroundings where there is an absence of adequate natural ventilation must be provided with:

- (i) an approved type of respirator and/or an approved type of hood with airline attached;
- (ii) protective clothing as approved by the relevant safety authority;
- (iii) soap and washing materials;
- (iv) pneumatic rubber tyred wheelbarrow for loads of bricks and materials;
- (v) overalls where necessary, when bricklayers are engaged on work covered by clauses 22.2(m) and 22.2(n).

### (d) Special conditions to apply to bricklayers engaged on construction or repairs to refractory brickwork

The following special conditions will apply to bricklayers engaged on construction or repairs to refractory brickwork instead of clause 20.1(b)(viii) dealing with safety boots:

- (i) After six weeks employment, and on request from the employee, an allowance of **\$ 84.98** must be provided for the purchase of boots. The same allowance must be provided to cover the cost of replacement boots, provided that the allowance need not be paid more than once in any six month period dating from the time the allowance is first provided. The allowance is not payable where the employer provides boots; and/or
- (ii) Employees provided with the allowance, or the boots, will accrue credit at the rate of **\$ 4.25** per week from the date of the request. An employee leaving, or being dismissed, before 20 weeks' employment after the date of the request will repay the difference between the credit accrued and the **\$ 84.98** and
- (iii) an employer must reimburse an employee for an x-ray once every six months, if requested by an employee engaged in refractory brickwork, or working in a tuberculosis home or hospital. Such x-rays may be taken during working hours and count as time worked. An employee who ceases work in a tuberculosis home or hospital may also request an x-ray on cessation of work.

### 20.2 Meal allowance

- (a) An employee required to work overtime for at least one and a half hours after working ordinary hours inclusive of time worked for accrual purposes as prescribed in clauses 34—Shiftwork, or 38—Annual leave, must be paid by the employer an amount of **\$ 14.27** to meet the cost of a meal.
- (b) This subclause will not apply to an employee who is provided with reasonable board and lodging or who is receiving a distant job allowance as provided for in clause 24—Living away from home—distant work, and is provided with a suitable meal.
- (c) An operator employee will be entitled to be paid **\$ 14.27** for each meal after the completion of each four hours from the commencement of overtime.

### 20.3 Compensation for clothes and tools

- (a) An employee whose clothes, spectacles, hearing aids or tools have been accidentally spoilt by acid, sulphur or other deleterious substances, fire, molten metal or corrosive substances, must be paid such amount to cover the loss suffered by the employee as may be agreed upon between the employee and the employer.
- (b) An employee must be reimbursed by the employer to a maximum **\$ 1,743.00** for loss of tools or clothes by fire or breaking and entering whilst securely stored at the employer's direction in a room or building on the employer's premises, job or workshop or if the tools are lost or stolen while being transported by the employee at the employer's direction, or if the tools are accidentally lost over water or if tools are lost or stolen during an employee's absence after leaving the job because of injury or illness, or where the employee does not report for work because of illness or accident and has advised the employer of such absence.
- (c) An employee transporting their own tools must take all reasonable care to protect those tools and prevent theft or loss.
- (d) When an employer requires an employee to wear spectacles with toughened glass lenses the employer must pay the cost of the toughening process.
- (e) For the purposes of this clause:
  - (i) only tools used by the employee in the course of their employment will be covered by this clause;
  - (ii) the employee will, if requested to do so, furnish the employer with a list of tools so used;
  - (iii) reimbursement will be at the current replacement value of new tools of the same or comparable quality; and
  - (iv) the employee will report any theft to the police prior to making a claim on the employer for replacement of stolen tools

## Building and Construction General On-site Award 2010

### 21. Site and general wage related allowances

#### 21.1 Special allowance

- (a) Employees must be paid a special allowance of \$ 7.70 per week to compensate for the following matters:
- (i) excess travelling time incurred by employees in the on-site building and construction industry; and
  - (ii) the removal of loadings from the various building awards in this industry.
- (b) This allowance will not be adjusted.

#### 21.2 Industry allowance

In addition to the rates prescribed in clause 19—Minimum wages, an employee must be paid an allowance at the rate of 3.7% of the weekly standard rate per week to compensate for the following disabilities associated with construction work:

- (a) climatic conditions when working in the open on all types of work;
  - (b) the physical disadvantage of having to climb stairs or ladders;
  - (c) the disability of dust blowing in the wind, brick dust and drippings from newly poured concrete;
  - (d) sloppy and muddy conditions associated with the initial stages of the erection of a building;
  - (e) the disability of working on all types of scaffolds or ladders, other than a swing scaffold, suspended scaffold, or a bosun's chair;
  - (f) the lack of the usual amenities associated with factory work, (e.g. meal rooms, change rooms, lockers)
- \$ 28.30 per week

#### 21.3 Underground allowance

- (a) An employee, other than an employee in an Operator classification, who is required to work underground must be paid an additional allowance of 1.8% of the weekly standard rate per week for all purposes of the award in addition to the allowance prescribed in clause 21.2.
- \$ 13.77 per week
- (b) Provided that an employee required to work underground for no more than four days or shifts in any ordinary week must be paid an additional 0.4% of the weekly standard rate per day or shift and in addition the allowance prescribed in clause 21.2.
- \$ 3.06 per shift

#### 21.4 Multistorey allowance

- (a) A multistorey allowance must be paid to all employees on-site whilst engaged in construction or renovation of a multistorey building to compensate for the disabilities experienced in, and which are peculiar to construction or renovation of a multistorey building.

(b) Provided that for the purposes of this clause **renovation work** is work performed on existing multistorey buildings and such work involves structural alterations which extend to more than two storey levels in a building, and at least part of the work to be performed is above the fourth floor storey level in accordance with the scale of payments appropriate for the highest floor level affected by such work

(c) In this clause:

**multistorey building** means a building which will, when complete, consist of five or more storey levels

**complete** means the building is fully functional and all work which was part of the principal contract is complete

**storey level** means structurally completed floor, walls, pillars or columns, and ceiling (not being false ceilings) of a building and will include basement levels and mezzanine or similar levels (but excluding **half floors** such as toilet blocks or store rooms located between floors)

**floor level** means that stage of construction which in the completed building would constitute the walking surface of the particular floor level referred to in the table of payments.

(d) Any buildings or structures which do not have regular storey levels but which are not classed as towers (e.g. grandstands, aircraft hangars, large stores, etc.) and which exceed 15 metres in height may be covered by this subclause, or by clause 22.3(a) by agreement between the employer and an employee.

(e) **Plant room:** a plant room situated on the top of a building will constitute a further storey level if the plant room occupies 25% of the total roof or an area of 100 square metres whichever is the lesser.

#### (f) Rates

(i) Except as provided for in clause 21.4(g), an allowance in accordance with the following table must be paid to all employees on the building site. The higher allowances presented in respect of work on the 16th and subsequent floors will be paid to all employees when one of the following components of the building—structural steel, reinforcing steel, boxing or walls—rises above the floor level first designated in the allowance scale:

Storeys	Allowance per hour
Commencement to 15th floor	\$ 0.52 per hour
16th floor to 30th floor	\$ 0.62 per hour
31st floor to 45th floor	\$ 0.97 per hour
46th floor to 60th floor	\$ 1.25 per hour
61st floor onwards	\$ 1.53 per hour

(ii) The allowances payable at the highest point of the building will continue until completion of the building

## Building and Construction General On-site Award 2010

### 21. Site and general wage related allowances (con't)

#### 21.5 Laser operation allowance

##### (a) Application

This subclause applies when laser equipment is utilised for work within the scope of this award.

##### (b) Definitions

(i) **Laser** means any device excepting a Class 1 device which can be made to produce or amplify electromagnetic radiation in the wave length range from 100 nanometres to one millimetre primarily by the process of controlled stimulation emission.

(ii) **Laser safety officer** or **LSO** is an employee who in addition to the employees ordinary work is qualified to perform duties associated with laser safety and is appointed as such

#### 21.6 Laser safety officer

An employee appointed by the employer to carry out the duties of a laser safety officer must be paid an additional 13.4% of the hourly standard rate per day or part thereof whilst carrying out such duties, paid part thereof whilst carrying out such duties, paid as a flat amount without attracting any premium or penalty.

\$ 2.70 per day

#### 21.7 Carpenter - diver

Employees undertaking work normally performed by a carpenter-diver must be paid an additional 4.5% of the hourly standard rate per hour extra which will be regarded as part of the ordinary time hourly rate for all purposes of the award.

\$ 0.91 per hour

#### 21.8 Refractory bricklaying allowance

(a) A special allowance to compensate for disabilities associated with the work of refractory bricklaying must be paid as follows:

Refractory bricklayer

\$ 2.01 per hour

Refractory bricklayer's assistant

\$ 1.71 per hour

(b) This allowance must be paid instead of all special rates prescribed in clause 22—Special rates, except clauses 22.2(b) and 22.2(c) and will be regarded as part of the ordinary time hourly rate.

(c) An apprentice Refractory bricklayer must be paid the allowance on a proportionate basis reflecting the appropriate percentage of the adult wage in clause 19.1.

#### 21.9 Cofferdam worker

(a) Not under air pressure—employees must be paid an additional 1.7% of the weekly standard rate extra per week;

\$ 13.00 per week

(b) Under air pressure—as agreed to between the employer and employees.

#### 21.10 First aid

(a) An employee who:

(i) is appointed by the employer to be responsible for carrying out first aid duties as they may arise;

(ii) holds a recognised first aid qualification (as set out hereunder) from the Australian Red Cross Society, St John Ambulance or similar body;

(iii) is required by their employer to hold a qualification at that level;

(iv) the qualification satisfies the relevant statutory requirement pertaining to the provision of first aid services at the particular location where the employee is engaged; and

(v) those duties are in addition to the employees normal duties, recognising what first aid duties encompass by definition;

will be paid at the following additional rates to compensate that person for the additional responsibilities, skill obtained, and time spent acquiring the relevant qualifications:

(vi) an employee who holds the minimum qualifications recognised under the relevant State or Territory Occupational Health and Safety legislation (or, in Western Australia, a Senior First Aid certificate or Industrial First Aid certificate or equivalent qualification from the St John Ambulance Association or similar body)—0.36% of the weekly standard rate per day; or

\$ 2.75 per day

(vii) an employee who holds a higher first aid certificate recognised under the relevant State or Territory Occupational Health and Safety legislation (or, in Western Australia, a Senior First Aid certificate or Industrial First Aid certificate or equivalent qualification from the St John Ambulance Association or similar body)—0.57% of the weekly standard rate per day.

\$ 4.36 per day

(b) An employee will be paid only for the level of qualification required by their employer to be held, and there will be no double counting for employees who hold more than one qualification

## Building and Construction General On-site Award 2010

### 21. Site and general wage related allowances (con't)

#### 21.11 Air-conditioning industry and refrigeration industry allowances

(a) In addition to the appropriate minimum wage prescribed in clause 19.1, an air-conditioning tradesperson and a refrigeration mechanic must be paid a weekly allowance of 7.9% of the weekly standard rate as compensation for the various disabilities and peculiarities associated with on-site air-conditioning work or on-site refrigeration work.

\$ 60.43 per week

(b) An employee in receipt of this allowance will not be entitled to special rates in:

- clause 22.2(a)—Insulation;
- clause 22.2(b)—Hot work;
- clause 22.2(c)—Cold work;
- clause 22.2(d)—Confined space;
- clause 22.2(g)—Wet work;
- clause 22.2(h)—Dirty work;
- clause 22.2(l)—Asbestos eradication; and
- clause 22.2(q)—Height work.

#### 21.12 Electrician's licence allowance

(a) An employee engaged and working as an electrical tradesperson and who holds an appropriate electrician's licence must be paid a weekly allowance of 3.2% of the weekly standard rate for all purposes of this award.

\$ 24.48 per week

(b) An appropriate electrician's licence for the purpose of this subclause will be:

- New South Wales—a NSW Electrician's Licence;
- Victoria—an A Grade Electrician's Licence;
- South Australia—an A Grade Electrical Worker's Licence;
- Tasmania—an A Grade Electrician's Licence; and
- Queensland—an Electrical Mechanic's or Electrical Fitter/Mechanic's Licence.

#### 21.13 In charge of plant

(a) In charge of plant means:

- (i) when two or more employees are employed at the plant at the one time, the employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility;
- (ii) an employee who is invested with the superintendence and responsibility or who has to accept the superintendence and responsibility over one or more other employees;
- (iii) when the employee is the only person of that class employed on the plant the employee who does the general repair work of the plant in addition to the work of operating, but not when the employee merely assists a fitter or engineer to do such work; or
- (iv) where shifts are worked, the employee who is directed to carry out the general repair work of the plant in addition to the work of operating, but not when the employee merely assists a fitter or engineer to do such work.

(b) An employee who is in charge of plant must be paid an additional 4.7% of the weekly standard rate per week.

\$ 35.95 per week

## 22. Special rates

### 22.1 Conditions in respect of special rates

- (a) To avoid doubt, the special rates are allowances for the purpose of clause 7.1(d).
- (b) The special rates prescribed in this award must be paid irrespective of the times at which work is performed and will not, except where specified, be subject to any premium or penalty conditions.
- (c) This limitation does not apply to the all purpose special rates prescribed in clauses 22.2(m) and 22.2(n).
- (d) Where more than one of the special rates provides payments for disabilities of substantially the same nature, then only the highest of such rates will be payable unless otherwise provided.
- (e) The special rates must be paid to employees in addition to the other rates in this award.

### 22.2 Special rates applicable to all sectors

#### (a) Insulation

An employee handling charcoal, pumice, granulated cork, silicate of cotton, insulwool, slag wool, limpet fibre, vermiculite, or other recognised insulating material of a like nature, associated with similar disabilities in its use, must be paid an additional 4.0% of the hourly standard rate per hour or part thereof. This extra rate will also apply to an employee working in the immediate vicinity who is affected by the use of such materials.

\$ 0.81 per hour

#### (b) Hot work

(i) An employee who works in a place where the temperature has been raised by artificial means to between 46 degrees and 54 degrees Celsius must be paid an additional 3.2% of the hourly standard rate per hour or part thereof. In temperatures exceeding 54 degrees Celsius, an employee must be paid an additional 4.0% of the hourly standard rate per hour or part thereof.

Between 46 degrees and 54 degrees \$ 0.64 per hour

Temperatures exceeding 54 degrees \$ 0.81 per hour

(ii) Where such work continues for more than two hours, the employee will be entitled to 20 minutes rest after every two hours work without loss of pay, not including the special rate provided by this subclause.

#### (c) Cold work

An employee who works in a place where the temperature is lowered by artificial means to less than 0 degrees Celsius must be paid an additional 3.2% of the hourly standard rate per hour. Where such work continues for more than two hours, the employee will be entitled to 20 minutes rest after every two hours work without loss of pay, not including the special rate provided by this subclause.

\$ 0.64 per hour

#### (d) Confined space

(i) An employee required to work in a confined space must be paid an additional 4.0% of the hourly standard rate per hour or part thereof.

\$ 0.81 per hour

(ii) **Confined space** means a place the dimensions or nature of which necessitate working in a cramped position or without sufficient ventilation.

## Building and Construction General On-site Award 2010

**(e) Swing scaffold**

(i) An employee required to work from any type of swing scaffold or any scaffold suspended by rope or cable, bosun's chair, or a suspended scaffold requiring the use of steel or iron hooks or angle irons must be paid the appropriate allowance set out below corresponding to the storey level at which the anchors or bracing, from which the stage is suspended, have been erected. The allowance must be paid for a minimum of four hours' work or part thereof until construction work has been completed.

Height of bracing	% of the hourly standard rate	\$
0–15 storeys	23.3	\$ 4.69 first 4 hours
	4.8	\$ 0.97 each additional hours
16–30 storeys	30.1	\$ 6.06 first 4 hours
	6.3	\$ 1.27 each additional hours
31–45 storeys	35.6	\$ 7.17 first 4 hours
	7.2	\$ 1.45 each additional hours
46–60 storeys	58.3	\$ 11.74 first 4 hours
	12	\$ 2.42 each additional hours
Greater than 60 storeys	74.3	\$ 14.96 first 4 hours
	15.4	\$ 3.10 each additional hours

(ii) An apprentice with less than two years' experience must not use a swing scaffold or bosun's chair, and further provided that solid plasterers when working off a swing scaffold must receive an additional 0.7% of the hourly standard rate per hour.

\$ 0.14 per hour

(iii) Payments contained in this subclause are in recognition of the disabilities associated with the use of swing scaffolds.

(iv) For the purposes of this clause:

- **completed** means the building is fully functional and all work which is part of the principal contract is complete;
- **storeys** will be given the same meaning as a storey level in clause 21.4.

**(f) Explosive powered tools**

An operator of explosive powered tools, who is required to use an explosive powered tool, must be paid an additional 7.6% of the hourly standard rate for each day on which the employee uses such a tool.

\$ 1.53 per day

**(g) Wet work**

An employee working in any place where water is continually dripping such that clothing and boots become wet, or where there is water underfoot, must be paid an additional 3.2% of the hourly standard rate per hour whilst so engaged.

\$ 0.64 per hour

**(h) Dirty work**

An employee engaged on unusually dirty work must be paid an additional 3.2% of the hourly standard rate per hour.

\$ 0.64 per hour

**(i) Toxic substances**

(i) Employees using toxic substances or materials of a like nature must be paid an additional 4.0% of the hourly standard rate per hour. Employees working in close proximity to employees so engaged must be paid an additional 3.2% of the hourly standard rate per hour.

Employee working with toxic substances

\$ 0.81 per hour

Employee working near employee working with toxic substances

\$ 0.64 per hour

**(k) Asbestos**

Employees required to wear protective equipment (i.e. combination overalls and breathing equipment or similar apparatus) as part of the necessary safeguards as required by the appropriate occupational health authority for the use of materials containing asbestos or to work in close proximity to employees using such materials, must be paid an additional 4.0% of the hourly standard rate per hour whilst wearing such equipment.

\$ 0.81 per hour

**(l) Asbestos eradication**

Employees engaged in the process of asbestos eradication (defined as work on or about buildings involving the removal or any other method of neutralisation of any materials which consist of or contain asbestos) on the performance of work within the scope of this award, must receive an additional 10.8% of the hourly standard rate per hour worked, but will not be paid special rates prescribed in this clause with the exception of:

- clause 22.2(b)—Hot work;
- clause 22.2(c)—Cold work;
- clause 22.2(e)—Swing scaffold;
- clause 22.3(d)—Plaster or composition spray;
- clause 22.3(h)—Second-hand timber; and
- clause 22.2(n)—Acid work.

\$ 2.17 per hour



## Building and Construction General On-site Award 2010

### 22. Special rates (con't)

#### (m) Furnace work

An employee engaged in the construction of, or alteration or repairs to, boilers, flues, furnaces, retorts, kilns, ovens, ladels, and similar refractory work must be paid an additional 8.5% of the hourly standard rate per hour. This additional rate will be regarded as part of the ordinary time hourly rate for all purposes.

\$ 1.71 per hour

#### (n) Acid work

An employee required to work on the construction of or repairs to acid furnaces, acid stills, acid towers and all other acid resisting brickwork must be paid an additional 8.5% of the hourly standard rate per hour. This additional rate will be part of the ordinary time hourly rate for all purposes.

\$ 1.71 per hour

#### (o) Heavy blocks—employees laying other than standard bricks

(i) Employees employed laying blocks (other than concrete blocks for plugging purposes) must be paid the following additional rates:

Where the blocks weigh 5.5 kg and under 9 kg	\$ 0.64 per hour
Where the blocks weigh 9 kg to 18 kg	\$ 1.17 per hour
Where the blocks weigh over 18 kg	\$ 1.65 per hour

(ii) This special rate will not apply to employees being paid the extra rate for refractory work.

(iii) Stonemasonry employees not provided with mechanical means for the handling, lifting and placing of heaving blocks will be paid the rates prescribed in this clause.

#### (p) Bitumen work

An employee handling hot bitumen or asphalt or dipping materials in creosote, must be paid an additional 4.0% of the hourly standard rate per hour.

\$ 0.81 per hour

#### (q) Height work

An employee, other than an employee working on a bosun's chair or swinging stage, working on any structure at a height of more than nine metres where an adequate fixed support not less than 0.75 metres wide is not provided, must be paid an additional 2.9% of the hourly standard rate per hour. This provision does not apply in addition to the towers allowance prescribed in clause 22.3(a).

\$ 0.58 per hour

#### (r) Suspended perimeter work platform

(i) This allowance applies to employees engaged on construction work (including renovation or refurbishment work) performed on a suspended perimeter work platform (other than a swinging stage or bosun's chair) which uses a mechanical, hydraulic or other form of propulsion (not being rope or cable suspended) to relocate the work platform at different levels on the perimeter of a building or structure. An example of this type of system includes the Lubeca Façade System.

(ii) The allowance payable is an additional 4.9% of the hourly standard rate per hour and is to be paid instead of swing scaffold and multistorey allowance for all employees working on suspended perimeter work platform systems.

\$ 0.99 per hour

#### (s) Employee carrying fuels, oils and greases

An employee required by the employer to carry any fuels, oils and/or greases in the employees own vehicle for use in the employer's plant must be paid an additional 1.4% of the weekly standard rate per day in addition to any amount payable under clause 25—Fares and travel patterns allowance, for each day the employee is so required by the employer to carry such materials.

\$ 10.71 per day

#### (t) Pile driving

Where a mobile crane in excess of 15 tonnes is required to perform pile driving at any site or installation, or is required to be involved in the extraction process, the operator must receive an additional 2.0% of the weekly standard rate per day or part thereof.

\$ 15.30 per day

#### (u) Dual lift allowance

Where two or more forklifts or cranes are engaged on any lift the drivers thereof must be paid an additional 16.2% of the hourly standard rate for each day or part thereof so occupied.

\$ 3.26 per day

#### (v) Stonemasons—cutting tools

If cutting tools are not provided the employer must pay an additional 0.2% of the hourly standard rate per hour.

\$ 0.04 per hour

### 22.3 Special rates applicable only to the general building and construction sector

#### (a) Towers allowance

(i) An employee working on a chimney stack, spire, tower, radio or television mast or tower, air shaft (other than above ground in a multistorey building), cooling tower, water tower or silo, where the construction exceeds 15 metres in height must be paid for all work above 15 metres, an additional 3.2% of the hourly standard rate per hour

\$ 0.64 per hour

3.2% of the hourly standard rate per hour additional for work above each additional 15 metres.

\$ 0.64 per hour

#### (b) Cleaning down brickwork

An employee required to clean down bricks using acids or other corrosive substances must be paid an additional 2.9% of the hourly standard rate per hour.

\$ 0.58 per hour

#### (c) Bagging

Employees engaged upon bagging brick or concrete structures must be paid an additional 2.9% of the hourly standard rate per hour.

\$ 0.58 per hour

#### (d) Plaster or composition spray

An employee using a plaster or composition spray must be paid an additional 3.2% of the hourly standard rate per hour whilst so engaged.

\$ 0.64 per hour

## Building and Construction General On-site Award 2010

### (e) Slushing

An employee engaged in slushing must be paid an additional 3.2% of the hourly standard rate per hour.

\$ 0.64 per hour

### (f) Dry polishing of tiles

Employees engaged on dry polishing of tiles where machines are used must be paid an additional 4.0% of the hourly standard rate per hour or part thereof.

\$ 0.81 per hour

### (g) Cutting tiles

An employee engaged at cutting tiles by electric saw must be paid an additional 4.0% of the hourly standard rate per hour whilst so engaged.

\$ 0.81 per hour

### (h) Second-hand timber

Where, whilst working with second-hand timber, an employee's tools are damaged by nails, dumps or other foreign matter on the timber the employee will be entitled to an allowance of 12.6% of the hourly standard rate per day on each day upon which the employee's tools are so damaged. No allowance will be payable under this clause unless it is reported immediately to the employer's representative on the job in order that they may prove the claim.

\$ 2.54 per day

### (i) Roof repairs

Employees engaged on repairs to roofs must be paid an additional 4.0% of the hourly standard rate per hour, provided that instead of this rate roof slaters and tilers must be paid in accordance with the following:

\$ 0.81 per hour

(i) An employee who works on a roof at a height of over 15 metres measured at the loading point of the tiles at ground level to the eaves, must be paid an additional 2.9% of the hourly standard rate per hour.

\$ 0.58 per hour

(ii) An employee who works on a roof at a height of over 15 metres measured at the loading point of the tiles at ground level to the eaves and the pitch of which is over 35 degrees or over 40 degrees must be paid the sum of 4.0% and 5.8% of the hourly standard rate respectively, rather than the allowance in clause 22.3(i)(i).

over 35 degrees

\$ 0.81 per hour

over 45 degrees

\$ 1.17 per hour

### (j) Computing quantities

Employees who are regularly required to compute or estimate quantities of materials in respect of the work performed by other employees must be paid an additional 23.3% of the hourly standard rate per day or part thereof. This allowance will not apply to an employee classified as a leading hand and receiving an allowance prescribed in clause 19.2.

\$ 4.69 per day

### (k) Grindstone allowance

An allowance of 0.9% of the weekly standard rate per week must be paid to each carpenter or joiner where a grindstone or wheel is not made available.

\$ 6.88 per week

### (m) Certificate allowance

(i) A tradesperson who is the holder of a scaffolding certificate or rigging certificate issued by the appropriate certifying authority and is required to act on that certificate whilst engaged on work requiring a certificated person must be paid an additional 3.2% of the hourly standard rate per hour.

\$ 0.64 per hour

(ii) This allowance is not cumulative on the allowance for swing scaffolds.

### (n) Spray application—painters

An employee engaged on all spray applications carried out in other than a properly constructed booth, approved by the appropriate certifying authority, must be paid an additional 3.2% of the hourly standard rate per hour.

\$ 0.64 per hour

### (o) Pneumatic tool operation

A stonemason using pneumatic tools of 2.75 kilograms or over in weight must be paid an additional 17.6% of the hourly standard rate each day on which the employee uses such a tool.

\$ 0.64 per hour

### (p) Bricklayer operating cutting machine

One bricklayer on each site is to operate the cutting machine and must be paid an additional 4.0% of the hourly standard rate per hour or part thereof while so engaged.

\$ 0.81 per hour

### (q) Hydraulic hammer

An operator of a hydraulic hammer attached to an excavator must be paid an additional 5.4% of the hourly standard rate per hour for all purposes.

\$ 1.09 per hour

### (r) Waste disposal

## Building and Construction General On-site Award 2010

Plant operators working in landfill and garbage tips must be paid an additional 6.7% of the hourly standard rate per hour for each hour worked with a minimum payment of three hours each day. This allowance compensates for the special disabilities associated with the offensive and obnoxious nature of the duties of solid and liquid waste and garbage disposal. The allowance will be paid for each hour the employees are suffering the disabilities and will not form part of the ordinary wage for all purposes of the award.

\$ 1.35 per hour

### 22.4 Special rates applicable only to the civil construction sector

#### (a) Pipe enamelling

An employee engaged on the enamelling of pipe joints by hand, on-site, must be paid an additional 0.9% of the weekly standard rate per day or part thereof.

\$ 6.88 per day

#### (b) Powdered lime dust

(i) Employees exposed for any period greater than one hour in any shift to powdered lime dust from the spreading or mixing of powdered lime used in the stabilisation of road making material must be reimbursed the cost of purchasing the following protective clothing:

- overalls;
- wide vision goggles;
- respirator;
- boots; and
- gloves.

(ii) The provisions of this subclause do not apply where the protective clothing is supplied by the employer.

(iii) In addition, the employer must maintain at or near the work site or other place where such lime is being used, adequate facilities to enable any employee whose skin is contaminated with lime either directly or through their ordinary clothing to wash the affected area. A supply of barrier cream and hand cleanser must be provided for the use of any employee required to handle powdered lime.

(iv) Employees engaged in carrying out lime work will be obliged to wear the protective clothing supplied by the employer.

(v) Each employee exposed to powdered lime dust whilst engaged in spreading or mixing powdered lime must, during the time they are so exposed, be paid an additional 3.5% of the hourly standard rate per hour in addition to all other rates payable in this award.

\$ 0.70 per hour

#### (c) Sand blasting

An employee required to use a sand blasting machine must be paid an additional 0.4% of the hourly standard rate per hour or part of an hour whilst so engaged.

\$ 0.08 per hour

#### (d) Live sewer work

An employee who works in a situation where there is direct aerial connection with a sewer through which sewerage is flowing, must be paid an additional 2.9% of the hourly standard rate per hour.

\$ 0.58 per hour

#### (e) Timbering

Any sinker required to timber any shaft, drive or trench must be paid an additional 3.6% of the hourly standard rate per hour or part thereof.

\$ 0.72 per hour

#### (f) Special work

A driver operating a tractor fitted with a blade and using such blade in breaking trail in heavy sidling country must be paid an additional 0.4% of the hourly standard rate per hour for each day or part of a day when so occupied.

\$ 0.08 per hour

#### (g) Compressed air work

Employees engaged in construction work in compressed air must be paid the following special rates:

Gauge reading rate per hour worked and spent in compression and decompression	% of the hourly standard rate	
0 to 35 kPa	6.9	\$ 1.39 per hour
Over 35 and up to 65 kPa	8.7	\$ 1.75 per hour
Over 65 and up to 100 kPa	17.6	\$ 3.54 per hour
Over 100 and up to 170 kPa	35	\$ 7.05 per hour
Over 170 and up to 225 kPa	58.3	\$ 11.74 per hour
Over 225 and up to 275 kPa	111.7	\$ 22.49 per hour

#### (h) Cutting stone

An employee engaged at cutting stone, blocks and bricks by power saw will be paid an additional 4.0% of the hourly standard rate per hour or part thereof.

\$ 0.81 per hour

## 24. Living away from home—distant work

### 24.1 Qualification

(a) This clause operates when an employee is employed on construction work at such a distance from the employee's usual place of residence or any separately maintained residence that the employee cannot reasonably return to that place each night, provided that:

- (i) the employee is not in receipt of relocation benefits;
  - (ii) the employee is maintaining a separate place of residence to which it is not reasonable to expect the employee to return each night; and
  - (iii) the employee has provided the details of their usual place of residence, or any separately maintained address to the employer.
- (b) The employee is not entitled to payment under this clause if the employee has knowingly made a false statement regarding the details required in clause 24.2.

### 24.2 Employee's address

- (a) On engagement, an employee must provide the employer with their address at the time of application, the address of any separately maintained residence and, if requested, reasonable documentary proof of those details.
- (b) No subsequent change of address will entitle an employee to the provisions of this clause unless the employer agrees.

## Building and Construction General On-site Award 2010

### 24.3 Entitlement

(a) Where an employee qualifies under clause 24.1 the employer will:

(a)(i) In the case of broken parts of the week the living away from home allowance will be \$ 478.44 per day  
pay a living away from home allowance of \$ 68.45 per week

This allowance may be increased if the employee satisfies the employer that the employee reasonably incurred a greater outlay than that prescribed; or

(ii) provide the worker with reasonable board and lodging in a well kept establishment with three adequate meals each day; or

(iii) where employees are required to live in camp, provide all board and accommodation free of charge.

(b) The accommodation provided will be of a reasonable standard having regard to the location in which work is performed, including the provision of reasonable ablution/laundry, recreational and kitchen facilities, as well as reasonable external lighting, mail facilities, radio or telephone contact and fire protection.

### 24.4 Messing system

(a) Where 10 or more employees are engaged, the employer will provide a cook. If there are less than 10 employees, the employer must reimburse employees for food reasonably purchased by them for their own use or must reimburse the reasonable cost of meals consumed in the nearest recognised centre, provided this subclause will not apply where the employee is provided with three meals per day in accordance with clause 24.3(a)(ii).

(b) In camps over 30 people the employer must employ a camp attendant.

Camp attendant means an employee engaged for the purpose of maintaining a camp in a clean and hygienic condition.

(c) In all camps the employer must provide labour for the purpose of maintaining the camp in a clean and hygienic condition.

(d) Where an employer has established a camp site and provides facilities for employees living in their own caravan, the employer must provide reasonable space for the caravans.

### 24.5 Camping allowance

An employee living in a construction camp where free messing is not provided must receive a camping allowance of

In the case of broken weeks, the camping allowance will be \$ 27.29 per day

including any Saturday or Sunday if the employee is in camp and available for work on the working days immediately preceding and succeeding each Saturday and Sunday. If an employee is absent without the employer's approval on any day, the allowance will not be payable for that day and if such unauthorised absence occurs on the working day immediately preceding or succeeding a Saturday or Sunday, the allowance will not be payable for the Saturday and Sunday.

\$ 191.21 per week

### 24.6 Camp meal charges

Where a charge is made for meals in a construction camp, the charge will be fixed by agreement between the employer and the majority of affected employees.

### 24.7 Travelling expenses

An employee who is sent by an employer to a job which qualifies the employee for the provisions of this clause will not be entitled to any of the allowances prescribed by clause 25—Fares and travel patterns allowance, for the period occupied in travelling from the employee's usual place of residence to the distant job, but instead will be entitled to the following benefits:

#### (a) Forward journey

(i) An employee must:

- be provided with appropriate transport or be paid the amount of a fare on the most appropriate method of public transport to the job (bus, economy air, second class rail with sleeping berths if necessary), and any excess payment due to transporting tools if such is incurred; and
- be paid for the time spent in travelling, at ordinary rates up to a maximum of eight hours per day for each day of travel; and

- be paid \$ 14.27 per meal for any meals incurred while traveling.

(ii) The employer may deduct the cost of the forward journey fare from an employee who terminates or discontinues employment within two weeks of commencing on the job and who does not immediately return to the employee's place of engagement.

#### (b) Return journey

(i) An employee will, for the return journey, receive the same payments provided for the forward journey (see clause 24.7(a)).

In addition, daily hire employees will receive an amount of \$ 13.95 to cover the cost of transport and transporting tools from the main public transport terminal to the employee's usual place of residence.

#### (c) Travelling time calculations

For the purpose of this clause, travelling time will be calculated as the time taken for the journey from the central or regional rail, bus or air terminal nearest the employee's usual place of residence to the locality of the work (or the return journey, as the case may be).

#### (d) Daily fares allowance

An employee engaged on a job who qualifies under the provisions of this clause and who is required to reside elsewhere than on the site (or adjacent to the site and supplied with transport) must be paid the allowance prescribed by clause 25—Fares and travel patterns allowance.

#### (e) Weekend return home

(i) An employee who notifies the employer, no later than Tuesday of each week, of their intention to return to their usual place of residence at the weekend and who returns to such usual place of residence for the weekend, must be paid an allowance of

\$ 35.28 for each occasion provided that the employee does not miss any ordinary hours of work.

(ii) An employee who is receiving the living away from home allowance pursuant to clause 24.3(a)(i) or camping allowance pursuant to clause 24.5 is not entitled to payment under clause 24.7(e)(i).

(iii) When an employee returns to their usual place of residence for a weekend or part of a weekend and is not absent from the job for any of the ordinary working hours, no reduction of the allowance in clause 24.3 will be made.

## Building and Construction General On-site Award 2010

### 25. Fares and travel patterns allowance

**25.1** Employees will start and cease work on the job at the usual commencing and finishing times within which ordinary hours may be worked, and will transfer from site to site as directed by the employer. Other than in the case of an employee directed by the employer to pick up and/or return other employees to their homes, time spent by an employee travelling from the employee's home to the job and return outside ordinary hours will not be regarded as time worked. No travelling time payment is required except as provided for in clauses 21.1, 24.7, 25.5, 25.7 and 36.3. The fares and travel patterns allowance recognises travel patterns and costs peculiar to the industry, which include mobility in employment and the nature of employment on construction work.

#### 25.2 Metropolitan radial areas

An employee, other than an employee in the metal and engineering construction sector who is required to commence or cease work at the employer's workshop, yard or depot other than on a construction site, must be paid an allowance of  
\$ 17.43 per day for each day worked when employed on construction work, at a construction site located:

- (a) within a radius of 50 kilometres of the GPO in a capital city of a State or Territory; or
- (b) within a radius of 50 kilometres of the principal post office in a regional city or town in a State or Territory.

#### 25.3 Distant work

The allowance prescribed in clause 25.2 must be paid to employees employed on distant work (as defined in clause 24.1), when the work is carried out within a radius of 50 kilometres from the place where, with the employer's approval, the employee is accommodated.

#### 25.4 Country radial areas

(a) An employer with a business or branch or section thereof (for the purpose of engagement) that is established in any place (other than on a construction site) outside the areas mentioned in clause 25.2, must pay their employees the allowances prescribed in clause 25.2 for work located within a radius of 50 kilometres from the post office nearest the employer's establishment.

(b) Where the employer has an establishment in more than one such place the establishment nearest the employee's nominated address will be used for purposes of this clause and employees are entitled to the provisions of clause 25.5 when travelling to a job outside such radial area.

#### 25.5 Travelling outside radial areas

Where an employer requires an employee to travel daily from inside one radial area mentioned in clauses 25.2, 25.3 and 25.4, to work on a construction site outside that area, the employee will be entitled to:

- (a) the allowance prescribed in clause 25.2 for each day worked; and
- (b) in respect of travel from the designated boundary to the job and return to that boundary:
  - (i) the time outside ordinary working hours reasonably spent in such travel, which will be paid at the ordinary time hourly rate, and calculated to the next quarter of an hour with a minimum payment of one half an hour per day for each return journey; and
  - (ii) any expenses necessarily and reasonably incurred in such travel, which will be \$ 0.47 per kilometre where the employee uses their own vehicle.

#### 25.7 Travelling between radial areas

The provisions of clause 25.5 will apply to an employee who is required by the employer to travel daily from one of those areas mentioned in clauses 25.2, 25.3 and 25.4 to an area, or to another area, mentioned in clauses 25.2, 25.3 and 25.4.

#### 25.8 Provision of transport

(a) No allowances, other than those prescribed in clauses 25.5 and 25.7 and in the circumstances described in clause 25.8(b), will be payable on any day on which the employer provides or offers to provide transport free of charge from the employee's home to the place of work and return.

(b) The allowance prescribed in this clause will be payable on any day for which the employer provides a vehicle free of charge to the employee for a purpose related to their contract of employment, and the employee is required by the employer to drive this vehicle from the employee's home to their place of work and return.

#### 25.9 Transfer during working hours

(a) An employee transferred from one site to another during working hours will be paid for the time occupied in travelling and, unless transported by the employer, must be paid reasonable cost of fares by the most convenient public transport between such sites.

(b) Provided that where an employee agrees to their employer's request to use the employee's own car for such a transfer, the employee must be paid an allowance at the rate of  
\$ 0.78 per km

#### 25.10 Daily entitlement

(a) The travelling allowances prescribed in this clause will be payable for:

- (i) any day upon which the employee performs or reports for duty, or allocation of work; and
  - (ii) any rostered day off taken as prescribed in clauses 33—Ordinary hours of work, and 34—Shiftwork.
- (b) The allowances prescribed in this subclause will be taken into account when calculating the annual leave loading.
- (c) The allowances prescribed by this subclause will not be taken into account for calculating overtime, penalty rates, annual or personal/carer's leave entitlements.

#### 25.11 Work in fabricating yard

When an employee is required to perform prefabricated work in an open yard and is then required to erect or fix on-site, the provisions of this clause will apply.

#### 25.12 Apprentices

(a) Apprentices will be entitled to a proportion of the allowances prescribed in clauses 25.2, 25.3 and 25.4 in accordance with the following scale:

(i) on the first year rate	75% of amount prescribed
(ii) on second year rate	85% of amount prescribed
(iii) on third year rate	90% of amount prescribed
(iv) on fourth year rate	95% of amount prescribed

(b) (i) Apprentices will only receive the allowances prescribed in clause 25.12(a) for days when they attend work and any rostered day off.

(ii) Apprentices will not be paid the allowance in clause 25.12(a) for days they attend an RTO for training and assessment in accordance with the contract of training.

(iii) When a school-based apprentice attends off-the-job training or assessment not at the school at which they are enrolled they will receive 25% of the allowance prescribed in clause 25.12(a).