



Member Update 1st July 2016

Wage Increase, Superannuation Contribution and Casual Loading

On 1st July 2016 the several changes occurred to wages and conditions.

Summary of Changes which take effect from the first full pay period commencing on or after 1st July 2016 is as follows;

1. Wage Increase of 2.4% was approved by the Fair Work Commission.
2. Allowances were also adjusted.

The following remain **unchanged**;

3. The Superannuation Contribution remains at 9.5%
4. The casual loading remains at 25% for other employers.

The information below is more detailed information of these changes. We have included the award's most relevant clauses for ease of reference (a copy of the whole Modern Pastoral Award 2010 (MA000035) is available at www.fwc.gov.au Modern Awards);

10. Types of employment

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

10.2 Full-time employment

(a) A full-time employee is an employee who is engaged to work 38 hours per week.

(b) A full-time employee must be provided with a written statement setting out their classification, applicable pay scale and terms of engagement.

10.3 Part-time employment

(a) A part-time employee is an employee who is engaged to perform less than the full-time hours of 38 per week at the workplace; has reasonably predictable hours of work; and receives, on a pro rata basis, equivalent pay

and conditions to those of full-time employees who do the same kind of work.

(b) An employee who does not meet the definition of a part-time employee in clause 10.3(a) and who is not a full-time employee will be paid as a casual employee in accordance with clause 10.4.

(c) At the time of engagement the employer and the part-time employee will agree in writing on a regular pattern of work, specifying at least the hours worked each day, which days of the week the employee will work and the actual starting and finishing times each day.

(d) Changes in hours may only be made by agreement in writing between the employer and employee. Any agreed variation to the regular pattern of work will be recorded in writing.

(e) An employer is required to roster a part-time employee for a minimum of three consecutive hours on any shift.

(f) All time worked in excess of the hours mutually arranged will be overtime and paid for at the appropriate overtime rate.

(g) A part-time employee employed under the provisions of this clause must be paid for ordinary hours worked at the rate of 1/38th of the weekly rate prescribed for the class of work performed.

10.4 Casual employment

(a) A casual employee is an employee engaged as such and paid by the hour. An employer when engaging a casual must inform the employee that they are employed as a casual, stating by whom the employee is employed, their hours of work, their classification level and their rate of pay.

(b) Shearers, Crutchers and Woolpressers will be engaged as casual pieceworkers and paid in accordance with the piecework rates prescribed by this award.

(c) A casual employee other than a casual pieceworker must be paid per hour at the rate of 1/38th of the weekly rate prescribed for the class of work performed, plus 25%.

(d) The casual loading is paid instead of annual leave, personal/carer's leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment.

(e) Casual employees must be paid at the termination of each engagement, but may agree to be paid weekly or fortnightly.

(f) On each occasion a casual employee, other than a casual pieceworker, is required to attend for work, casual employees are entitled to a minimum payment of three hours' work at the appropriate rate.

10.5 Farm and livestock hand at shearing or crutching

Notwithstanding anything else contained in this award, Part 7—Shearing Operations of the award will not apply to any employee engaged to work on a weekly basis under Part 4—Broadacre Farming and Livestock Operations during any time the employee is employed in shearing or crutching operations of the principal employer. Provided that this clause will not apply to any Farm and livestock hand engaged by the week who works in the employer's shearing shed and who has been engaged by the employer during the period commencing one week before the actual shearing or crutching begins and who is discharged during the week after the shearing or crutching actually ends. In such case, the employee will be paid station hand rates when performing work covered by Part 4 of this award and shearing rates when performing work covered by Part 7 of this award.

Footnote: Re Casual employment

All casual employees from 1st July 2014 are to be paid a 25% loading in lieu of annual leave and personal carers leave.

Were you a member of the SA Farmers Federation Industrial Association ("SAFFIA")? If yes, please be aware that calculation of Long Service for casual employees is different than for those who were not members. Before paying long service for ex SAFFIA members we strongly recommend you call our advisory service.

17. Allowances

To view the current monetary amounts of work-related allowances refer to the [Allowances Sheet](#).

17.1 Adjustment of expense-related allowances

(a) At the time of any adjustment to the standard rate, each expense-related allowance will be increased by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.

(b) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index (Cat No. 6401.0), as follows:

| Allowance | Applicable Consumer Price Index figure |
|--|--|
| Allowance for combs/cutters | Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group |
| Meal allowance | Take away and fast foods sub-group |
| Payment for handpiece | Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group |
| Rations | Take away and fast foods sub-group |
| Shearing industry allowance | Eight capital cities weighted average |
| Special allowance (horse and saddle allowance) | Eight capital cities weighted average |
| Travelling allowance | Domestic holiday travel and accommodation sub-group |
| Vehicle allowance | Private motoring sub-group |
| With keep rate | Eight capital cities weighted average |

17.2 Expense-related allowances

(a) Tool and equipment allowance

(i) Where the employer requires employees to supply their own tools and equipment, the employer must reimburse the employees for the cost of supplying such tools and equipment.

(ii) The provisions of this clause do not apply where the tools and equipment are paid for by the employer.

(b) Use of vehicle allowance

Where an employer instructs employees to use their own vehicle during working hours to relocate materials, equipment, or personnel either within the normal work location or on public thoroughfares, the employees will be paid an allowance of 78 cents per kilometre.

(c) Meal allowance

(i) If an employee is required to work overtime after working ordinary hours (except where the period of overtime is fewer than one and a half hours), the employee will be paid \$12.93 for the first and any subsequent meals. Alternatively, the employer may supply the employee with a meal.

(ii) An employee required to work overtime for more than two hours after the employee's ordinary ceasing time without having been notified before leaving work on the previous day that the employee will be required to work overtime, will be provided free of cost with a suitable meal, and if the work extends into a second meal break, another meal, provided that in the event of the meal not being supplied the employee is entitled to a payment of \$12.93 for each meal not supplied.

17.3 Reimbursement of expenses

Where an employer authorises an employee to incur expenses in the course of the employee's employment, the expense will be reimbursed by the employer upon provision by the employee of a tax invoice and receipt.

17.4 All-purpose allowances

The following allowances apply for all purposes of this award:

Livestock SA Member Update 1st July 2016 Wage Increase

(a) Leading hands

A leading hand in charge of two or more people must be paid as follows:

| In charge of | % of the <u>standard rate</u> |
|------------------------|-------------------------------|
| 2–6 employees | 115% per week extra |
| 7–10 employees | 134% per week extra |
| 11–20 employees | 191% per week extra |
| More than 20 employees | 240% per week extra |

(b) First aid allowance

An employee designated by the employer to render first aid in addition to his or her usual duties and who is the current holder of a recognised first aid qualification, such as one from St John Ambulance or a similar body, must be paid a daily allowance of 14% of the standard rate to carry out such work.

(c) Travelling allowance

(i) Where an employee is required to travel from one place to another for the purpose of work, the time occupied in travelling will be counted as time worked and paid for as such.

(ii) Time spent by an employee travelling from the employee's home to the principal place of employment and return will not be regarded as time worked.

(iii) Where an employee is compelled by their duties to spend the night away from home or the property at which the employee is employed (whichever is the employee's normal place of sleeping during employment), the employer will reimburse the employee for the demonstrable cost of suitable accommodation.

(iv) The provisions of this clause will not apply where the employer provides the employee with suitable accommodation free of charge.

17.5 Protective clothing

(a) Wet weather clothing and footwear

(i) An employee who is required to work in a wet place must be provided with protective clothing and footwear by the employer. If the employee is not provided with such clothing and footwear, the employer will reimburse the employee for the reasonable cost of providing such clothing and footwear.

(ii) Where the clothing and footwear is provided and paid for by the employer, it will remain the property of the employer.

(iii) 'wet place' is defined in clause 3.1 of this award.

(b) Protective clothing

(i) Where the employer requires an employee to supply his or her own protective clothing, the employer must reimburse the employee for the cost of supplying such protective clothing.

(ii) The provisions of this clause do not apply where the protective clothing is paid for by the employer.

(iii) Any protective clothing that is paid for by the employer remains the property of the employer.

17.6 Charges for accommodation, meat, goods, and services

(a) Where the employer provides an employee with living premises for the use of a "without keep" employee and the employee's household, the employer may make a charge of an amount agreed between them in writing for the use of the premises and/or power supplied to such premises.

(b) The employer may charge to an employee:

- the cost of goods or services supplied to the employee at the employee's request and paid for by the employer; and
- the cost of goods purchased by the employer for the employee at the employee's request.

Livestock SA Member Update 1st July 2016 Wage Increase

(c) Where the employer supplies an employee with meat, the employer may charge the employee an amount mutually agreed upon.

(d) Where the employer sells groceries or stores to the employee, the prices charged must not exceed the cost price with carriage added.

Livestock SA Member Update 1st July 2016 Wage Increase

Part 4—Broadacre Farming and Livestock Operations

Please note that Part 4 only applies to broadacre farming (NOT Pig Breeding, Poultry, or Shearing.)

28.1 Adult wages

The following wages apply to Farming and livestock hands classified under clause 27—Classifications of this award:

| Wage group | Weekly award rate | Hourly rate | Casual Hourly Rate |
|------------|-------------------|-------------|--------------------|
| FLH1 | \$ 672.70 | \$ 17.70 | \$ 22.13 |
| FLH2 | \$ 692.10 | \$ 18.21 | \$ 22.76 |
| FLH3 | \$ 702.00 | \$ 18.47 | \$ 23.09 |
| FLH4 | \$ 718.60 | \$ 18.91 | \$ 23.64 |
| FLH5 | \$ 731.50 | \$ 19.25 | \$ 24.06 |
| FLH6 | \$ 743.30 | \$ 19.56 | \$ 24.45 |
| FLH7 | \$ 783.30 | \$ 20.61 | \$ 25.76 |
| FLH8 | \$ 841.50 | \$ 22.14 | \$ 27.68 |

Please note that the adult rate is at 20 years of age.

28.2 Junior wages

| Age of employee | % of relevant adult rate |
|-----------------------|--------------------------|
| Under 16 years of age | 50 |
| 16 years of age | 60 |
| 17 years of age | 70 |
| 18 years of age | 80 |
| 19 years of age | 90 |
| 20 years of age | 100 |

28.3 With Keep Rate

If keep is provided then the minimum wage will be the rates prescribed above less \$ 122.53 per week

31. Overtime

31.1 All time worked by an employee in excess of the ordinary hours in clause 30.1 will be regarded as overtime.

31.2 The rate of pay for overtime for a Farm and livestock hand will be time and a half, except on Sunday when the rate will be double time, except in the case of feeding and watering stock when such work will be paid for at the rate of time and a half.

31.3 An employee may elect to take time off duty, with pay, for a period equal to the overtime worked.

31.4 No employee will be entitled to payment for overtime, or equivalent time off instead, unless the employee makes a claim to the employer or their authorised representative either within two weeks after the overtime is alleged to have been performed or by the next date of payment of the employee's wages, whichever is the later.

31.5 For the purpose of computing payment for overtime work for an employee engaged on 'with keep' terms, the cash value of such employee's wages must be deemed to be not less than the wage prescribed in this award for a similar class of employee with the value of keep added.

Classification Structure

For Broadacre farming Levels 1, 3 and 5 only apply. Other levels refer to Dairies and Feedlot employees.

27.1 Farm and livestock hand level 1 (FLH1)

An employee at this level includes:

- (a) Station hand with less than 12 months' experience in the industry;
- (b) Station cook;
- (c) Station cook's offsider; and
- (d) Cattle farm worker grade A who:
 - (i) works under direct supervision either individually or in a team environment;
 - (ii) understands and undertakes basic quality control/assurance procedures including the ability to recognise basic quality deviations/faults; and
 - (iii) understands and utilises basic statistical process control procedures.

Indicative of the tasks which an employee at this grade may perform are the following:

- routine mustering;
 - routine fence repairs;
 - aerial stock sighting;
 - repetitive packing and/or unpacking; and
 - kitchen/cooking assistance not involving food preparation.
- (e) Feedlot employee level 1 with less than three months' experience in the industry.
 - (f) Dairy operator grade 1A with less than 12 months' experience in the industry who:
 - uses their knowledge and skills to perform set procedures such as milking and attending to livestock, haymaking, fencing.

Indicative of the tasks which an employee at this level may perform are the following:

- a) operate milking plant and equipment in a safe manner;
- b) identify and report equipment not operating normally;
- c) work co-operatively as part of a team;

- d) read and record instrument information i.e. milk vat temperatures and cow numbers; and
- e) understand the principles of safe working.

27.2 **Farm and livestock hand level 2 (FLH2)**

An employee at this level includes:

(a) **Cattle farm worker grade B who:**

- performs work above and beyond the skills of a Cattle farm worker grade A and to the level of their training;
- is responsible for the quality of their own work subject to routine supervision;
- works under routine supervision either individually or in a team environment; and
- exercises discretion within their level of skills and training.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) receive, check, despatch and record goods received and sent;
- (ii) assist a tradesperson;
- (iii) basic non-trades daily maintenance of equipment used by the employee;
- (iv) sort and cut out stock;
- (v) sort and brand yarded stock;
- (vi) fence repairs;
- (vii) kitchen/cooking assistance not involving unsupervised food preparation;
- (viii) boundary riding;
- (ix) forklift, overhead crane, winch or tractor operation; and
- (x) household domestic work other than childcare or child education.

- (b) **Feedlot employee grade 1 with more than three months' experience** in the industry who works under direct supervision with regular checking of their work.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) perform cattle handling procedures;
- (ii) perform cattle health and welfare procedures;
- (iii) assist with euthanasing livestock;
- (iv) assist with performance of cattle post-mortem procedures;
- (v) transport, handle and store chemicals applicable to primary work area;
- (vi) prepare and apply chemicals applicable to primary work area;
- (vii) operate moving plant and equipment competently and efficiently;

- (viii) perform grain processing procedures;
- (ix) perform feed manufacture and delivery procedures;
- (x) perform hygiene and housekeeping procedures associated with the primary work area;
- (xi) perform feedlot and environment maintenance procedures;
- (xii) possess understanding of industry QA Programs and all site operating procedure; and
- (xiii) carry out workplace OH&S procedures.

27.3 **Farm and livestock hand level 3 (FLH3)**

An employee at this level includes:

- (a) **Station hand who has at least 12 months' experience** in the industry as a station hand; but does not conform to the definition of Senior station hand (FLH5) in clause 27.5.
- (c) **Dairy operator grade 1B with 12 months' experience** in the industry who uses their knowledge and skills to perform set procedures such as milking and attending to livestock, haymaking, fencing.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) operate milking plant and equipment, in a safe manner;
- (ii) identify and report equipment not operating normally;
- (iii) work co-operatively as part of a team;
- (iv) read and record instrument information i.e. milk vat temperatures and cow numbers; and
- (v) understands the principles of safe working.

27.4 **Farm and livestock hand level 4 (FLH4)**

An employee at this level includes:

- (a) **Feedlot employee level 2** who has two years experience in the feedlot industry; and works under routine supervision with intermittent checking of their work.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) utilise ability to make independent work decisions at this level;
- (ii) perform cattle handling procedures;
- (iii) perform cattle health and welfare procedures;
- (iv) euthanase livestock;
- (v) perform cattle post-mortem procedures;
- (vi) select livestock for specific markets;

- (vii) transport, handle and store chemicals applicable to primary work area;
- (viii) prepare and apply chemicals applicable to primary work area;
- (ix) operate moving plant and equipment competently and efficiently;
- (x) perform grain processing procedures;
- (xi) perform feed manufacture and delivery procedures;
- (xii) perform hygiene and housekeeping procedures associated with the primary work area;
- (xiii) perform feedlot and environment maintenance procedures;
- (xiv) possess understanding of industry QA programs and all site operating procedure; and
- (xv) carry out workplace OH&S procedures.

27.5 Farm and livestock hand level 5 (FLH5)

An employee at this level includes:

(a) **Dairy operator grade 2 who:**

- has two years experience in the industry;
- uses their knowledge and skills to multiple operations involving basic levels of problem solving and decision making; and
- has an appreciation of the overall processes involved in a dairy farm.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) operate milking plant and equipment, undertake multiple functions, produce a quality outcome e.g. farm machinery;
- (ii) maintain machinery, undertake adjustments and size changes;
- (iii) solve problems and make decisions within given guidelines;
- (iv) know general scientific terminology and assist with processes such as machine repair, artificial insemination, fertiliser mix design etc.;
- (v) operate standard measuring equipment;
- (vi) operate computerised systems using menu options;
- (vii) contribute to the team in a specific role, providing input and assisting other team members; and
- (viii) work at times without supervision.

- (b) **Senior station hand is an employee** who has at least two years' experience in the industry; and is capable of performing efficiently without supervision any of the tasks reasonably required of them.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) drive, maintain and operate farm vehicles and machinery;

- (ii) animal husbandry;
- (iii) stock handling;
- (iv) irrigation work; and
- (v) use of chemicals.

27.6 Farm and livestock hand level 6 (FLH6)

An employee at this level includes:

(a) Feedlot employee level 3 who:

- has Certificate III qualifications;
- has worked in the feedlot industry for at least two years; and
- works with limited supervision with checking of their work related to overall progress.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) utilise ability to make independent work decisions;
- (ii) utilise Certificate III qualifications daily in the employee's primary work area;
- (iii) perform cattle handling procedures;
- (iv) perform cattle health and welfare procedures;
- (v) euthanase livestock;
- (vi) perform cattle post-mortem procedures;
- (vii) select livestock for specific markets;
- (viii) transport, handle and store chemicals applicable to primary work area;
- (ix) prepare and apply chemicals applicable to primary work area;
- (x) operate moving plant and equipment competently and efficiently;
- (xi) perform grain processing procedures;
- (xii) perform feed manufacture and delivery procedures;
- (xiii) perform hygiene and housekeeping procedures associated with the primary work area;
- (xiv) perform feedlot and environment maintenance procedures;
- (xv) possess understanding of industry QA programs and all site operating procedure; and
- (xvi) carry out workplace OH&S procedures.

27.7 Farm and livestock hand level 7 (FLH7)

An employee at this level includes:

- (a) **Senior dairy operator grade 1** who uses their knowledge and skills to coordinate the operation of a farm process or area of expertise e.g. milking and animal attendance, pasture and farm maintenance, breeding programs and artificial insemination area.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) overview of all farm operations;
- (ii) show strong planning and organising abilities, develop work plans to achieve objectives;
- (iii) operate computer equipment and software packages requiring set-up and basic function operation;
- (iv) maintain equipment requiring modification, part replacement and overhauls;
- (v) gather information, generate a range of options and implement a course of action to solve problems;
- (vi) demonstrate a comprehensive understanding of the dairy industry monitoring the industry through literature;
- (vii) use measuring equipment requiring calibration and measurement conversion;
- (viii) use established scientific processes in at least one area of specification;
- (ix) co-operate with other team members, establish priorities and work goals; and
- (x) work with others to develop their competencies.

(b) Feedlot employee level 4 who

- has Certificate III qualifications;
- has worked in the feedlot industry for at least two years; and
- works with limited supervision with checking of their work related to overall progress.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) utilise ability to make independent work decisions;
- (ii) utilise Certificate III qualifications daily in the employee's primary work area;
- (iii) perform cattle handling procedures (where livestock operation is the primary work area);
- (iv) perform cattle health and welfare procedures (where livestock operation is the primary work area);
- (v) euthanase livestock (where livestock operation is the primary work area);
- (vi) perform cattle post-mortem procedures (where livestock operation is the primary work area);
- (vii) select livestock for specific markets;
- (viii) transport, handle and store chemicals applicable to primary work area;
- (ix) prepare and apply chemicals applicable to primary work area;
- (x) operate moving plant and equipment competently and efficiently;

- (xi) perform grain processing procedures (where feeding and milling operations is the primary work area);
- (xii) perform feed manufacture and delivery procedures (where feeding and milling operations is the primary work area);
- (xiii) perform hygiene and housekeeping procedures associated with the primary work area;
- (xiv) perform feedlot and environment maintenance procedures (where feedlot and environment maintenance operations is the primary work area);
- (xv) possess understanding of industry QA programs and all site operating procedure;
- (xvi) carry out workplace OH&S procedures.

27.8 **Farm and livestock hand level 8 (FLH8)**

An employee at this level includes:

- (a) **Senior dairy operator grade 2** who under the direction of the owner or manager uses their expertise and skills in order to supervise and maintain the operation of a dairy farm.

Indicative of the tasks which an employee at this level may perform are the following:

- (i) set and monitor work goals;
- (ii) anticipate potential problems/issues and determine the best course of action;
- (iii) approach the resolution of conflict using objectivity and reason, differentiating between the two;
- (iv) supervise other grades;
- (v) where appropriate, seek to develop team performance and cohesion, taking into account competencies and the needs of team members;
- (vi) keep abreast of dairy industry trends and changes;
- (vii) where necessary, exercise foresight in relation to farm needs and make recommendations to farm management; and
- (viii) operate scientific processes necessary to achieve farm objectives.

Part 7—Shearing Operations

44. Classifications

Employees engaged for work in a shed, other than Woolclassers and Shearing shed experts, will be engaged on a casual basis in one or more of the following categories:

- Shearer;
- Crutcher;
- Shed hand;
- Woolpresser; or
- Shearing cook.

A composite of these categories may apply where the employee has mixed functions, except Shearers.

44.1 Shed hands or Woolpresser-shed hands

(a) A Shed hand or Woolpresser-shed hand may be required to work as a generally useful hand in or about the shearing shed either during the crutching or shearing or when crutching or shearing is not taking place.

(b) Shed hands, Woolpressers and Woolpresser-shed hands will be paid by the run (as defined in clause [48.1](#)) provided that:

(i) on any day on which the employee attends for duty they will be guaranteed a minimum daily payment for two runs except on the day of cut out where if work continues beyond the normal lunch break then payment will be made for four runs;

(ii) further, if sheep are voted wet at the commencement of the third or fourth run, then they will be paid for all completed runs on that day together with the run due to commence or partly completed at the time sheep are voted wet; and

(iii) the minimum payment of two runs per day will not apply where an employee is not required to attend for work because of wet weather, provided that the employee is advised on each preceding day that they will not be required to attend, or if advised by the employer of a starting time with more than 24 hours notice.

(c) When an employee has mixed functions (e.g. as Woolpresser and Shed hand) they will be treated, for the purposes of calculating the employee's pay, as if employed only to perform such of the functions as carry the higher minimum rate under this award.

(d) Woolpresser-shed hands and Shed hands will weigh, brand, store and carry wool to the press without extra payment.

(e) An employer may direct a Shed hand to carry out the duties of a Woolpresser, provided that:

(i) the employee will only be required to perform those duties of a Woolpresser that are within the limits of that employee's skill, competence and training;

(ii) the performance of such duties does not involve either an alteration to the employee's classification or a major and substantial change in the duties normally performed by the employee; and

(iii) such a direction will be given only in the pursuit of the efficient conduct of a shearing or crutching operation in circumstances of unavailability of a contracted Woolpresser for a limited period.

44.2 Woolpressers

(a) A Woolpresser or Woolpresser-shed hand will:

(i) press as soon as possible all the wool shorn or crutched from the relevant shearing or crutching;

(ii) weigh, brand and store the wool; and

(iii) press and close the bales in the manner and, as nearly practicable, to the weight directed by the overseer, and remove all clippings and string from the inside of the bales and clear away such clippings and string and all loose wool from the portion of the shed occupied for woolpressing.

(b) An employer may direct a Woolpresser to carry out the duties of a Shed hand, provided that:

(i) the employee will only be required to perform those duties of a Shed hand that are within the limits of that employee's skill, competence and training; and

(ii) the performance of such duties does not involve either an alteration in the employee's classification or a major and substantial change in the duties normally performed by the employee.

44.3 Shearing cooks

(a) Shearing cooks will prepare and cook up to five meals per day, inclusive of morning and afternoon tea, for an agreed number of persons.

(b) The total number of persons for whom an employee is to cook will not, on the average of the shearing or crutching, be less than the minimum number agreed upon nor more than the maximum number agreed upon provided that if any of the employees to be cooked for strike or wilfully cease work against the direction of the employer, the Shearing cook will be entitled to payment of wages in respect only of those employees who do not strike or cease work.

(c) The Shearing cook will provide at the cook's own expense such suitable assistant or assistants as may be necessary for the proper cooking and serving of food.

(d) Shearing cooks may be engaged per half day. On the day prior to the commencement of shearing or crutching, should the Shearing cook be required to prepare the evening meal or clean and prepare the kitchen for a normal start on the following day, payment will be made at 50% of the daily or piecework rate.

(e) On the day of cut out a Shearing cook will be guaranteed 50% of the daily or piecework rate. However should shearing proceed after the normal midday meal break a full day's wages will be payable.

(f) Where a Shearing cook is engaged to cook for non-resident employees and prepares morning and afternoon tea and a midday meal they will receive 50% of the daily or piecework rate.

(g) Where clause [44.3\(f\)](#) applies, employees will be required to contribute a maximum of 50% of the rate established pursuant to clause [45.5](#) of this award.

44.4 Shearers and learner Shearers

(a) Shearers will be engaged to shear and/or crutch sheep.

Livestock SA Member Update 1st July 2016 Wage Increase

(b) A learner Shearer will be engaged as such on production of proof that they qualify for such status.

44.5 Crutchers

Crutchers will be engaged to crutch sheep, either a full crutch or other crutch.

44.6 Woolclassers

The classification and duties structure is as follows:

(a) Woolclasser level 1

Woolclasser level 1 (W1) may be required to undertake woolclassing duties only. These duties, which will be carried out in accordance with the directions and orders of the owner or nominated representative, will be as follows:

(i) to classify the wool and advise and report generally as a wool expert, according to the industry agreed code of practice as published by the Australian Wool Exchange Limited or its successors;

(ii) to instruct the woolrollers and supervise the skirting and rolling of the fleece;

(iii) to instruct and supervise the piece-pickers, the pickers-up as far as concerns their duty in picking up the fleeces and all other persons engaged in the handling of the wool;

(iv) to instruct the Woolpressers and exercise a general supervision over the pressing, weighing and branding of the bales;

(v) to keep the shed wool book, or see that it is kept by the Woolpresser or woolweigher, to the satisfaction of the employer, and, where required, to write up the station permanent wool and weight book daily (one copy only); and

(vi) to complete waybills if and when required.

(b) Woolclasser level 2

A Woolclasser level 2 (W2) may be required to undertake:

(i) woolclassing duties, being any of the duties outlined in relation to Woolclasser level 1; and

(ii) woolrolling, where such work is incidental to the duties of a Woolclasser, and other shed hand work where such work is a minor and incidental part of the duties of the Woolclasser. In the interest of efficient performance of work by the Woolclasser, such woolrolling will not be performed in a shed where more than 900 fleeces per day are shorn.

(c) Woolclasser level 3

A Woolclasser level 3 (W3) may be required to undertake:

(i) woolclassing duties, being any of the duties described for Woolclasser level 1 above;

(ii) woolrolling or other shed hands work as described for Woolclasser level 2 above;

(iii) overseeing or management of the board, provided that a Woolclasser must not do overseeing nor take the management of the board in addition to doing woolclassing in any shed where more than twelve Shearers are employed;

(iv) bookkeeping; and

(v) experting, as described in clause [44.7](#), provided that except in the case of an emergency, a Woolclasser must not act as an expert in addition to doing woolclassing in a shed where more than six Shearers are employed at any one time.

44.7 Shearing shed experts

(a) Shearing shed expert level 1

A Shearing shed expert level 1 (E1) may be required to perform experting duties only. The duties of a Shearing shed expert will include attending to the shearing shed machinery, engine driving and the grinding of combs and cutters and such other duties as may be agreed upon by the employer and the employee at the time of the employee's engagement.

(b) Shearing shed expert level 2

Livestock SA Member Update 1st July 2016 Wage Increase

A Shearing shed expert level 2 (E2) may be required to perform:

- (i) experting duties as described for Shearing shed expert level 1;
- (ii) woolrolling or other shed hands work where such work is a minor and incidental part of the duties of an expert. In the interest of efficient performance of work, such woolrolling must not be performed in a shed where more than 900 fleeces per day are shorn;
- (iii) overseeing or management of the board; and
- (iv) bookkeeping.

45. Minimum wages

45.1 Rates for Shearers—if not found employee

- (a) For flock sheep (wethers, ewes and lambs):

If not found employee, by machine \$293.31 per 100 which is arrived at by:

| Shearer's formula | \$ |
|---|-----------|
| <i>Minimum rate</i> | 739.05 |
| Plus 20% piecework allowance—min rate x 20% | 147.81 |
| Plus 25% casual loading—min rate x 25% | 184.76 |
| <i>Subtotal</i> | 1071.62 |
| Plus shearing industry allowance | 212.60 |
| Plus rations | 57.55 |
| Plus allowance for combs/cutters | 101.77 |
| Plus payment for handpiece | 23.01 |
| <i>Weekly total for casual piecework shearer with own handpiece (500 sheep)</i> | 1466.55 |
| Rate per 100 conversion—total divided by 5 | 293.31 |

- (b) **For rams (other than special stud rams) and ram stags**—double the rate for flock sheep.
- (c) **For stud ewes and their lambs**—one and a quarter times the rate for flock sheep.
- (d) **For double-fleeced sheep**—one and one-third times the rate prescribed appropriate to the class of sheep.
- (e) **For hand shearing**—7.5% additional to the rate for each class of sheep.

Livestock SA Member Update 1st July 2016 Wage Increase

- (f) Any Shearers that are required to provide their own stud combs will be paid 25% additional to the rate of each class of sheep.
- (g) For special studs—**as agreed.**
- (h) If found employee—the rates prescribed above less the amount of \$29.85, which is arrived at by adding the Shearing cook’s daily rate to one fifth of the Shearers’ ration component.
- (i) Engagement by the day:
 \$219.14 per day if not found employee;
 \$189.29 per day if found employee.

The per day rate for not found employees is calculated by the old not found employee daily rate multiplied by Shearers rate per 100 divided by the old Shearers rate per 100 (less found deduction if found employee).

45.2 Rates for crutching

- (a) Piecework rates—if not found employee:

| | Per 100 \$ At sheds | Per 100 \$ Other than at sheds |
|--|------------------------------------|---|
| Full crutching, that is, shearing the inside parts of the legs, between the legs, and around and above the tail. In addition when required: <ul style="list-style-type: none"> • removing wool that has been struck by blowfly; • lifting the bottom leg and shearing that leg prior to turning the sheep around and above the tail; and/or • giving up to two blows above the tail | 85.06 | 73.33 |
| All other crutching | 67.46 | 58.66 |
| For wiggging or ringing | 32.26 | 32.26 |
| For either wiggging or ringing in addition to crutching | 8.80 | 8.80 |
| For wiggging and ringing | 52.80 | 52.80 |
| For wiggging and ringing in addition to crutching—crutching rate plus | 14.67 | 14.67 |
| For cleaning the belly of any ewe above the teats (no more than two blows of the machine or shears)—crutching rates plus | 7.33 | 7.33 |

- (b) In addition to the payments per 100 contained in this clause an allowance of \$9.38 per person per day will be paid for the lack of amenities when crutching

Livestock SA Member Update 1st July 2016 Wage Increase

is performed other than at sheds, which is arrived at by the formula in clause 8.18.1(c).

(c) Crutching formula

| | |
|--|-------------------------------|
| Full crutching at sheds | 29% of Shearers per 100 rate |
| All other crutching at sheds | 23% of Shearers per 100 rate |
| Full crutching other than at sheds | 25% of Shearers per 100 rate |
| All other crutching other than at sheds | 20% of Shearers per 100 rate |
| Wigging or ringing | 11% of Shearers per 100 rate |
| Wigging or ringing in addition to crutching | 3% of Shearers per 100 rate |
| Wigging and ringing | 18% of Shearers per 100 rate |
| Wigging and ringing in addition to crutching | 5% of Shearers per 100 rate |
| Cleaning bellies etc. | 2.5% of Shearers per 100 rate |

(d) Special crutching rates

- (i) For crutching stud ewes and their lambs – one and a quarter of the rates prescribed in clause 8.18.1(a).
- (ii) For crutching rams and ram stags – double the rates prescribed in clause 8.18.1(a).

- (e) **If found employee**—the rates prescribed above less the amount of \$29.85, which is arrived at by adding the Shearing cook’s daily rate to one fifth of the Shearers’ ration component.

45.3 Rates for Shed hands

- (a) If not found employee:

| Adults | Weekly | Per run |
|--|---------------|----------------|
| | \$ | \$ |
| For adults with less than 65 work days experience as a shed hand | 1051.33 | 52.57 |
| For adults with 65 or more work days experience as a shed hand | 1105.65 | 55.28 |

These amounts are arrived at by using the formula in clause 8.18.1(b).

- (b) Shed hands (adult) formula

Livestock SA Member Update 1st July 2016 Wage Increase

| | \$ |
|---|-------------------|
| <i>With less than 65 work days experience in the industry</i> | |
| Minimum rate—which is 84.56% of Shearer’s minimum rate | 624.94 |
| Plus 25% casual loading—new minimum wage rate x 25% | 156.24 |
| Plus shearing industry allowance | 212.60 |
| Plus rations | 57.55 |
| <i>Total</i> | 1051.33 |
| Per run—divide by 20 | 52.57 |
| <i>With more than 65 work days experience in the industry</i> | |
| Minimum rate which is 90.44% of Shearer’s minimum rate | 668.40 |
| Plus 25% casual loading—new minimum wage rate x 25% | 167.10 |
| Plus shearing industry allowance | 212.60 |
| Plus rations | 57.55 |
| <i>Total</i> | 1105.65 |
| Per run—divide by 20 | 55.28 |
| (c) Shed hands (junior) formula | |
| | \$ per run |
| Under 18 years | |
| <i>With less than 65 work days experience as a shed hand</i> | |
| 70% of equivalent adult rate | 36.80 |
| <i>With 65 work days or more experience as a shed hand</i> | |
| 70% of equivalent adult rate | 38.70 |
| 18–20 years | |
| <i>With less than 65 work days experience as a shed hand</i> | |
| 90% of equivalent adult rate | 47.31 |
| <i>With 65 work days or more experience as a shed hand</i> | |
| 90% of equivalent adult rate | 49.75 |
| (d) If found employee —the rates prescribed above less the amount of \$29.85, which is arrived at by adding the Shearing cook’s daily rate to one fifth of the Shearers’ ration component. | |

45.4 Rates for Woolpressers—if not found employee:

| | |
|------------------|--------|
| (a) Piecework | |
| | \$ |
| By hand—per bale | 17.61 |
| By hand—per kilo | 0.1156 |

Livestock SA Member Update 1st July 2016 Wage Increase

| | |
|-------------------|--------|
| | \$ |
| By power—per bale | 11.74 |
| By power—per kilo | 0.0770 |

These rates are arrived at by using the formula in clause 8.18.1(b).

(b) Woolpresser's formula

| | Piecework | Timework |
|---|-----------|----------|
| | \$ | \$ |
| <i>Minimum rate</i> | 664.00 | 719.27 |
| Plus 20% piecework allowance—min rate x 20% | 132.80 | - |
| Plus 25% casual loading—min rate x 25% | 166.00 | 179.82 |
| <i>Subtotal</i> | 962.80 | |
| Plus shearing industry allowance | 212.60 | 212.60 |
| Plus rations | 57.55 | 57.55 |
| <i>Total per week</i> | 1232.95 | 1169.24 |
| Per run—total divided by 20 | | 58.46 |
| By hand—per bale = total divided by 70 | 17.61 | - |
| By hand—per kilo = by hand per bale rate divided by 152.4 | 0.1156 | - |
| By power—per bale = by hand per bale rate x 2/3 | 11.74 | - |
| By power—per kilo = by power per bale rate divided by 152.4 | 0.0770 | - |

- (c) For weighing and branding bales—\$0.39 per bale extra.
- (d) If the total sum which the Woolpresser would receive under the rates amounts to less than \$58.46 per run multiplied by the number of runs that a time work employee would have been paid for, the employer will pay the deficiency to the employee.
- (e) **If found employee**—the rates prescribed above less the amount of \$29.85, which is arrived at by adding the Shearing cook's daily rate to one fifth of the Shearers' ration component.
- (f) Woolpressers engaged at piecework rates will, for all wool pressed by them, be paid wholly per bale or wholly per kilogram and will for greasy wool per kilogram be paid for an average of 140 kg per bale if the bales pressed average less than that weight.
- (g) The minimum rate to be paid for woolpressing for employees engaged at time work rates will be \$58.46 per run if not found employee. If found employee, rates will be the rate prescribed less \$29.85 per day, which is arrived at by adding the Shearing cook's daily rate to one fifth of the Shearers' ration component.

- (h) Provided that where a Woolpresser engaged at time work would have earned more at a particular shearing than the minimum calculation (by multiplying the per run rate by the number of runs the Woolpresser would have been paid for) if the Woolpresser had been engaged at piecework rates, then the Woolpresser will be paid at the piecework rate pursuant to clause 8.18.1(d).

45.5 Rates for Shearing cooks

- (a) The minimum rates to be paid to employees for acting as Shearing cook in connection with shearing or crutching operations will be \$18.34 per day per found employee for every person excepting themselves for whom the employee cooks. But if the total amount which the Shearing cook would receive under this clause for the term of the employment amounts to less than \$238.48 per day per found employee, for the work after paying the necessary offsiders, the employer will pay the deficiency to the employee. A Shearing cook engaged for a half day will be paid 50% of the rate per day per found employee for every person for whom the employee cooks.

- (b) These rates are arrived at by:

| Shearing cook's formula | \$ |
|--|-----------|
| <i>Minimum rate</i> | 720.33 |
| Plus 25% casual loading—min rate x 25% | 180.08 |
| Plus 20% long hours allowance—min rate x 20% | 144.07 |
| Plus 69.58% of shearing industry allowance | 147.93 |
| <i>Total</i> | 1192.41 |
| Daily rate—total divided by 5 | 238.48 |
| Per employee per day rate = daily rate divided by 13 | 18.34 |

45.6 Woolclassers piecework rates

- (a) For carrying out the duties described in clause **Error! Reference source not found.** of this award, a Woolclasser will be paid at the rate of \$332.36 per 1,000 sheep and/or lambs.
- (b) All rams and/or ram stags' wool classed will be paid for at double the above rate.

45.7 Woolclassers guaranteed weekly minimum rates

If the piecework earnings from woolclassing over the whole of the employment fall short of the relevant weekly amount for the same period, the employer will pay the Woolclasser not less than the minimum weekly rate set out below.

45.8 Woolclassers and Shearing shed experts

- (a) **Weekly rates**

| Classification | Rate per week |
|-----------------------|----------------------|
| | \$ |

Livestock SA Member Update 1st July 2016 Wage Increase

| Classification | Rate per week |
|------------------------------|----------------------|
| | \$ |
| Shearing shed expert level 1 | 1109.07 |
| Shearing shed expert level 2 | 1232.30 |
| Woolclasser level 1 | 1232.30 |
| Woolclasser level 2 | 1329.45 |
| Woolclasser level 3 | 1392.60 |

- (i) The Woolclasser level 1 minimum weekly rate is arrived at according to the following formula:

| | \$ |
|---|-----------|
| Base | 773.72 |
| Plus casual loading of 25% (of base) | 193.43 |
| <i>Subtotal</i> | 967.15 |
| Plus conditions allowance | 109.68 |
| Plus enterprise flexibility (including hours) and wet weather allowance | 155.48 |
| <i>Total</i> | 1232.31 |
| Rounded to the nearest five cents | 1232.30 |

- (ii) The Woolclasser level 2 minimum weekly rate is arrived at according to the following formula:

| | \$ |
|---|-----------|
| Base | 773.72 |
| Woolrolling and other shed hands work | 77.72 |
| <i>Subtotal 1</i> | 851.44 |
| Plus casual loading of 25% (of subtotal 1) | 212.86 |
| <i>Subtotal 2</i> | 1064.30 |
| Plus conditions allowance | 109.68 |
| Plus enterprise flexibility (including hours) and wet weather allowance | 155.48 |
| <i>Total</i> | 1329.46 |
| Rounded to the nearest five cents | 1329.45 |

- (iii) The Woolclasser level 3 minimum weekly rate is arrived at according to the following formula:

| | \$ |
|---------------------------------------|-----------|
| Base | 773.72 |
| Woolrolling and other shed hands work | 77.72 |

Livestock SA Member Update 1st July 2016 Wage Increase

| | \$ |
|---|---------|
| Bookkeeping, overseeing, experting | 50.53 |
| <i>Subtotal 1</i> | 901.97 |
| Plus casual loading of 25% (of subtotal 1) | 225.49 |
| <i>Subtotal 2</i> | 1127.46 |
| Plus conditions allowance | 109.68 |
| Plus enterprise flexibility (including hours) and wet weather allowance | 155.48 |
| <i>Total</i> | 1392.62 |
| Rounded to the nearest five cents | 1392.60 |

(b) Piecework rate

The piecework rate formula is: \$1,329.45 (Woolclasser level 2) divided by 4 = \$332.36.

(c) Shearing shed experts

- (i) **E1**—Expert level 1 (experting only) will be paid at 90% of the Woolclasser level 1 rate. The E1 rate is \$1,109.07 per week.
- (ii) **E2**—Expert level 2 (experting plus any additional duties except woolclassing) will be paid at Woolclasser level 1 rate. The E2 rate is \$1,232.30 per week.

(d) For the purpose of this clause:

- (i) employment will be deemed to begin at the time at which the employee is instructed to arrive at the station, but if the employee does not arrive until later, then at the time of arrival;
 - (ii) the number of stands to be taken is the maximum number of stands actually occupied by Shearers during the shearing;
 - (iii) in calculating the guaranteed amount in respect of employment for part of a week, the employee will be entitled to one fifth of the prescribed weekly rate for each day or part of a day;
 - (iv) employment of experts and Woolclassers will be by the day unless a longer period of engagement is agreed. Unless the Woolclasser or expert has been notified the previous day that their attendance is not required for that day, then providing they present themselves as ready, able and willing to work prior to commencement of work then they will be paid for that day at one fifth of the appropriate minimum weekly rate specified in this clause; and
 - (v) all employees are entitled to work as expeditionary employees.
- (e) At the commencement of shearing the employer or a representative will appoint a certain day upon which the employer will, in each and every week, if so required, pay to the

employee any sum not exceeding 75% of the amount due over and above one week's earnings.

(f) **Woolclassers allowances formula**

Allowances payable to Woolclassers under clause 45.8 are calculated in accordance with the following formula:

| Allowance | % of <u>standard rate</u> per week |
|------------------------|---|
| Conditions | 602.3 |
| Enterprise flexibility | 853.8 |
| Woolrolling | 426.8 |
| Bookkeeping | 277.5 |

46. Special allowances (other than Woolclassers Special allowances (other than Woolclassers and Shearing shed experts))

46.1 Allowance where sleeping quarters are not provided

Where the employee does not reside during a shearing (or crutching) at the employee's home or usual place of residence and the employee is forced to obtain and pay for sleeping quarters away from the employer's premises because the employer is unable to provide sleeping quarters at the premises for the employee, the employer will:

- (a) arrange for sleeping quarters for the employee to be supplied elsewhere at the employer's expense; or
- (b) pay to the employee an allowance of 259.4% of the standard rate per night for each night during the employee's employment that the employee is so forced to obtain and pay for sleeping quarters; and
- (c) where the distance is one kilometre or more walking distance between the employee's sleeping quarters and the shed, provide or pay for the transport of the employee between the sleeping quarters and the shed.

46.2 Where the total travel time to and from the sleeping quarters and the shed exceeds one hour per day, an allowance of 85.6% of the standard rate per hour will be payable to the employee for all time in excess of such hour.

46.3 Where an employee resides during a shearing (or crutching) at their home or usual place of residence and travels daily to the shed, the following provisions will apply:

(a) **Travelling allowance—Shearers (or Crutchers) only**

Where the distance between the shed and the employee's place of residence exceeds 65 kilometres by the most direct practicable route the employer will pay to the employee a travelling allowance of 77% of the standard rate per day for each day upon which the employee so travels.

(b) **Vehicle allowance—all employees**

Where an employee, by prior arrangement and agreement with an employer, uses the employee's own motor vehicle to travel to and from the shed the employee will be paid a vehicle allowance of \$0.78 per kilometre for travel by the most direct practicable route between the shed and the employee's normal place of residence.

46.4 Clause 46.3(a) and 46.3(b) of this award will not apply in any case where the employer offers the employee suitable accommodation at the shed and the employee chooses not to use it.

46.5 Breakdown of machinery—allowance for delays and termination of agreements

(a) Where a Shearer or Crutcher or a piecework Woolpresser is stopped from working through a breakage or failure of machinery, except from any cause over which the employer has no control, and the total period of all such stoppages which occur in any one week exceeds two hours working time, the employer will pay to the employee an allowance at the rate of \$171.70 per day in the case of not found employees and at the rate of \$141.85 per day in the case of found employees, for every day or part of a day beyond two hours of working time in any one week as long as there are sheep fit to shear.

(b) The not found breakdown rate is calculated as the old breakdown rate multiplied by the new Shearers rate per 100 divided by the old Shearers rate per 100 (less found deduction if found employee).

47. Special allowances for Woolclassers

47.1 Fares and travelling allowances for expeditionary employees

(a) An employee will be reimbursed all fares, or be compensated for motor vehicle expenses at a rate of \$0.78 per kilometre, to travel the most direct route to and from the shed at the commencement and conclusion of a period of engagement at a shed from the closest of:

- (i) the employee's place of residence;
- (ii) the employee's previous place of work; or
- (iii) the place of engagement.

(b) In cases where the employee is discharged for incompetence or misconduct or breaches of the agreement signed before commencement of the shed, no return fares nor return expense allowance will be paid.

(c) When an employer offers an employee accommodation in accordance with this award, such employee not availing themselves of such accommodation will not be entitled to this allowance.

(d) The vehicle allowance, as specified above in clause 47.1(a), applies only where an employee actually uses their vehicle to travel to and from the shed.

Livestock SA Member Update 1st July 2016 Wage Increase

- (e) The fares, as specified above in clause 47.1(a), are paid only where they are actually incurred and this does not include airfares unless agreed at the time of engagement.
- (f) An allowance at the rate of \$69.68 per day will be paid by the employer to the employee for all expenses incurred (other than fares) while the employee is actually proceeding to and from the place of employment.
- (g) Such allowance will be calculated at the rate of \$2.90 per hour from the time of departure of the employee from the place of engagement or from the permanent residence until the employee arrives at the place of employment.
- (h) When an employee is about to return from the place of employment such allowance will be calculated on the same basis from the time of departure until arrival at the place of engagement or permanent residence.

47.2 Allowance for delay between commencement of sheds on the same holding

Where two sheds are situated on the same holding and are the property of the same owner, and where the work at the second shed starts immediately after the work at the first is completed and the same Woolclasser (but not a Shearing shed expert) is employed for the two sheds, the Woolclasser will be paid an allowance for any delay between the cut out of the one shed and the starting of the other, calculated at the delay rate set out in 47.3 of this award. Should, however, properties intervene, such sheds must not be considered as sheds on the same holding, and no allowance will be payable.

47.3 Allowance for delays for Woolclassers paid at piecework rate

- (a) In the event of the employer failing to start shearing on the day fixed by the contract the employer will, provided the Woolclasser is ready to start on the day fixed, pay the employee for the time kept idle, a daily amount of 1/10th of the appropriate guaranteed weekly minimum rate for the classification of the employee, unless the failure to start is caused by wet weather or other unforeseen causes such as fire, flood, earthquake or any other act of God.
- (b) The number of stands to be taken into account when calculating the allowance will be the maximum number of stands actually occupied by Shearers during the shearing.
- (c) The allowance set out in this clause will be in full satisfaction of all claims by the employee arising out of such failure to start on the part of the employer.
- (d) The abovementioned rates will only apply where an employee is paid the piecework rate.

48. Hours of work for Shearers and Crutchers

48.1 The ordinary hours of work for Shearers and Crutchers will be 38 per week, Monday to Friday. The hours will not exceed eight per day and will be worked in two hour groupings called runs. The run times are Monday to Friday as follows:

7.30 am–9.30 am

10.00 am–12.00 pm

Livestock SA Member Update 1st July 2016 Wage Increase

1.00 pm–3.00 pm

3.30 pm–5.30 pm

48.2 This clause will be read subject to the provisions of clause 48.3 and the following:

- (a) where agreement between the employer and the majority of employees exists there may be an alteration of the starting time by a maximum of two hours to allow for work to be completed in extenuating circumstances;
- (b) work will not commence prior to 5.30 am or later than 7.30 am except where sheep have not been presented for shearing or crutching due to inclement weather;
- (c) runs will be of two hours duration and be worked continuously except for tea and lunch breaks;
- (d) circumstances for which alteration to the starting time in accordance with clause 48.2 may be made are limited to:
 - to assist travel arrangements (e.g. day of cut out and travel home);
 - to ensure daylight requirements where shed lighting is not available;
 - for stock welfare; and
 - when rising flood water creates exceptional circumstances; and
- (e) the entitlements in this clause are non-cumulative.

48.3 Restrictions on working eight hours

The restriction on working eight hours will not apply:

- (a) where the tail end of a mob of ewes with lambs or unweaned lambs are in the pens at 5.30 pm on Friday awaiting shearing (or crutching), the shearing (or crutching) may, at the option of the employer, be continued for not more than half an hour, but so far only as may be necessary for the purpose of shearing (or crutching) the said ewes and/or lambs;
- (b) if not more than three sheep per Shearer/Crutching are left in the pens at 5.30 pm on Friday they may, at the option of the employer, be shorn (or crutched) then for the purpose of cutting out a particular flock; or
- (c) if on the day of the cut out, there remains in the pens after the last run of the day, such number of sheep as could be ordinarily shorn (or crutched) in 60 minutes, the shearing (or crutching), at the option of the employer, may be continued until such sheep are shorn (or crutched). If the option of the employer is taken and work time exceeds 30 minutes, all time workers will receive an additional two hours (one run) payment.

48.4 Special conditions regarding the hours of work of Shearers and Crutchers

- (a) Where a Shearer or Crutching has not completed 38 hours work during the preceding week, or eight hours per day if the shearing commenced later in the week, by reason of the fact that sheep presented for shearing or crutching are voted wet or sheep are

not presented for shearing or crutching because of rain or sweating, a Shearer or Crutcher may be required by the employer to work on the Saturday and/or Sunday immediately succeeding the week in which work could not be performed for these reasons only, provided that:

- (i) any work performed on a Saturday or a Sunday pursuant to this subclause must be performed in accordance with the run schedules prescribed for work during the week;
 - (ii) any work performed on a weekend pursuant to this subclause must be performed from the commencement of the first available run after the condition of the sheep permit their shearing or crutching except that by agreement between the employer and the employee another or other mutually convenient run or runs available on that weekend may be substituted;
 - (iii) such work on Saturday and/or Sunday will only replace the time lost during the preceding week; and
 - (iv) reasonable notice of the need to work on the weekend will be given.
- (b) A signal will be given three minutes (one minute in the case of crutching) before the end of each run and no Shearer (or Crutcher) will catch another sheep during that run after such signal has been given.
 - (c) The employee will finish the shearing (or crutching) of any sheep they are shearing (or crutching) at the end of each run.
 - (d) The employer and the employee will record and retain at the appropriate place of employment a written record in the tally book when make-up time is worked, if sheep are determined wet during the normal course of shearing in the preceding Monday to Friday.
 - (e) The tally book will show those employees who worked make-up time, the date of the work and the number of runs worked during the weekend. The employer will retain this written record for a period of not less than six years.

49. Special conditions relating to shed employees

49.1 Mess and cook

Where a mess is established for found employees, not found employees may, with the approval of the employer join the mess and provide their own food and related items (joint mess). The employer will, however, have the right to supply a sufficient quantity of food to start the mess, such food to be paid for by the persons comprising the mess.

49.2 Where there is a joint mess

- (a) The employer must engage a competent cook for the mess on terms not less advantageous to the cook than those prescribed by this award;
- (b) The employer will be entitled to charge to each not found employee the amount of their share of the wages actually payable to the cook, provided that the employee must

not be charged an amount in excess of the rate per day per member of the mess prescribed in this award.

- (c) Where an employer elects to supply food and like items the employer will be permitted to deduct the price of such items from the wages of those supplied with such items.
- (d) If the employer discharges a not found member of the mess who does not have sufficient credit to satisfy what that employee owes to the mess account, the employer will make up the deficiency, except so far as the employee's share of the mess account has been increased by goods purchased elsewhere than from the employer.

49.3 Condition of sheep

The employee may refuse to shear sheep without any responsibility for delay in the following circumstances:

(a) Wet sheep

- (i) if the overseer and the shed representative agree that the sheep are too wet to shear or crutch; or
- (ii) if in the employee's honest opinion, the sheep are so wet as to be likely to injure the employee, and the employee informs the overseer to that effect; or
- (iii) if in the honest opinion of a majority of Shearers (or Crutchers) excluding any learner by vote on a secret ballot it is determined that the sheep are too wet to shear or crutch.

The supervisor may request that the vote be delayed until after the Shearers (or Crutchers) have shorn (or crutched) two sheep each and that the ballot papers have been counted in the presence of the supervisor. The supervisor may request that further votes be taken in relation to sheep which have been voted wet in the same day.

(b) Infected sheep

The employee may refuse to shear (or crutch) sheep where the sheep are:

- (i) cancerous;
- (ii) suffering from scabby mouth;
- (iii) suffering from any wound or sore other than maggots;
- (iv) suffering from a disease communicable to the employee; or
- (v) affected by prickly pear, unless the employer provides the employee with such basil or other gloves and coverings as are necessary.

The employee will put any affected sheep appearing on the board down the chute.

49.4 Conditions of sheep—employer requirements

- (a) The employer will so far as is practicable and reasonable in the particular circumstances prevent from entering the shed:

- (i) any cancerous sheep;
- (ii) any sheep that has an offensive wound or sore, other than from maggots (unless properly treated with antiseptic);
- (iii) any sheep suffering from scabby mouth;
- (iv) any sheep suffering from any disease communicable to the employee.
- (b) The employer need not pen sheep for shearing (or crutching) which in the honest opinion of the employee should not be shorn or crutched because they are too wet to be shorn (or crutched), without responsibility for any delay.
- (c) The employer may also withdraw sheep which have been penned for shearing (or crutching) when, in the employer's honest opinion, the wool is too wet for pressing, without responsibility for any delay.

49.5 Transport to be provided in certain circumstances

Where the employees sleep at the employer's premises and the shearing shed is one kilometre or more walking distance from the employees' sleeping quarters, the employer must provide transport for the employees between the shed and the sleeping quarters before the start of the day's work and at the end of the day's work. Provided that in all cases where the shearing shed is half a kilometre or more walking distance from the employees' huts the employer must provide transport from the shed to the huts and from the huts to the shed for the midday meal.

49.6 Combs, cutters and handpiece

- (a) It will be the responsibility of the employee to provide themselves with combs and cutters and a suitable handpiece.
- (b) If a Shearer chooses to use a handpiece supplied by the employer or a contractor, the employer or contractor may make a charge to the Shearer for the use of the handpiece equivalent to the amount the Shearer is reimbursed for the handpiece through the shearing formula.
- (c) Where combs or cutters are damaged or broken during shearing operations due to contact with tags or foreign matter, the employer will replace or provide compensation for such combs and cutters on a fair wear and tear basis.

49.7 Allotment of stands

The employer may nominate the stand or stands to be occupied by learners. Subject to the foregoing, lots will be drawn for the stands in the presence of the overseer before work is commenced at a shearing or crutching, and the employees will abide by the result of the drawing.

49.8 Provision of sheep

- (a) The total number of sheep to be shorn (or crutched) at the shearing (or crutching) will not be more than the maximum number agreed upon nor less than the minimum number agreed upon nor will the number of Shearers employed exceed the number agreed upon.

- (b) Subject to this award, the employer will be ready to commence shearing (or crutching) on the date appointed and will keep the Shearers (or Crutchers) fully supplied with sheep until the completion of the shearing (or crutching). But the employer will not be bound to furnish the agreed minimum number of sheep or to be so ready or to so keep the employee fully supplied if prevented by any cause unavoidable by them; provided, however, that the employer will inform the employee, as soon as is reasonably possible, whether, and to what extent, the employee will be or is likely to be so prevented.

Provided also that when the employer is a contractor shearing or crutching sheep under contract with an owner or the owner's agent, the failure of the owner or agent to keep the contractor supplied with sheep for shearing (or crutching) will not be deemed to be a cause unavoidable by the contractor unless the owner or agent is prevented from supplying sheep because of any unavoidable cause.

49.9 Yarding sheep for shearing

- (a) At shearing operations the employer will, unless prevented by any cause unavoidable by the employer, yard the sheep for shearing at least four hours before the time of their being shorn so as to overcome any fullness or sweat in such sheep and the employee will shear such sheep without delay.
- (b) This clause will not apply in the case of:
- (i) ewes within two months of lambing;
 - (ii) ewes with lambs up to three months old; or
 - (iii) sheep which have previously been yarded for shearing but have been turned out because they are too wet to shear.

49.10 Posting of tallies

The employer will daily make available to each employee the employee's tally or bale weight for each run worked in a day.

50. Hours of work and overtime rates for Shed hands and Woolpresser-shed hands

50.1 The working hours of a Shed hand or of a Woolpresser-shed hand will be the same as the working hours of the Shearers or Crutchers. However, additional time each day may be necessary to finish the picking up, the rolling of fleeces, the picking of the pieces on the tables and to sweep the floor of the shed. Such additional time after the cessation of shearing or crutching on Friday and on the day of the cut out may be necessary to do the work just described and to wash down the floor of the shed and the wool tables, and to put away any wool that is underneath and, in the case of Woolpresser-shed hand, such additional time as may be necessary on the day of the cut out to finish the pressing.

50.2 If on any day, except the day of the cut out, the additional time exceeds a total of 30 minutes, the whole of the additional time on that day will be treated as overtime.

50.3 Overtime will be paid for at the rate of time and a half.

50.4 Penners-up will work without overtime payment for such time additional to the working hours of the Shearers or Crutchers as may be necessary to keep the Shearers or Crutchers supplied with sheep.

51. Payment for public holidays

51.1 Where work is performed on a public holiday the following rates will be paid:

- (a) for Shearers, Crutchers, Woolpressers and Woolclassers—double the piecework rate;
- (b) for Shed hands—double time; and
- (c) for Shearing shed experts—an amount calculated at the rate per hour of 1/38th of the appropriate minimum weekly rate in addition to any amount otherwise payable to the employee.

Disclaimer:

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