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IMPORTANT INFORMATION

In March 2006 the Federal Government introduced major changes to industrial relations in Australia, through the Workplace Relations Amendment (Work Choices) Act 2005. Many employers and employees who have previously been covered by State awards, agreements and/or the Western Australian minimum conditions legislation are now be covered by the federal industrial relations system.

Any employers who are uncertain whether their business is affected by the federal changes, should contact their employer association, Wageline on 1300 655 266 or the Fair Work Infoline on 13 13 94.

The Department of Commerce has prepared the following State award summary in an endeavour to provide advice and assistance regarding pay rates and certain major award provisions. It is provided as a general guide and is not designed to be comprehensive nor to render legal advice. For detail regarding the content of each Award clause, please obtain a full copy of the award. State awards are available at the WAIRC website at www.wairc.wa.gov.au. Information on State award coverage and specific clauses can be obtained by telephoning Wageline on 1300 655 266. Every attempt has been made to ensure the contents of this summary are accurate. However, neither the Department of Commerce nor its officers accept liability for any claim which may arise from any person acting on, or refraining from acting on, this information.

This schedule has been approved by the Registrar of the WAIRC as a summary of the award for the purposes of registering an Employer Employee Agreement (EEA).

Award Name:	Children's Services (Private) Award	38 hr week
Effective from:	(1) Effective on and from the commencement of the first pay period on or after 1 October 2009 (Order No. 1/2009) – State Wage Case Decision (2) Effective from the beginning of the first pay period to commence on or after 1 July 2009 (Order No. 24/2009) – Increase to Location Allowances	

CURRENT AWARD LEVEL	LEVEL	WEEKLY	HOURLY	CASUAL 20% LOADING
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Progression within a classification (e.g. from 2.1 to 2.2) will be automatic after 12 months experience (**or, in the case of employees engaged for 19 hours per week or less, 24 months experience**), unless the employee is deemed to have not met the requisite competency at the existing level. In this instance, their incremental progression may be deferred for up to 3 months. *See clause 22(3) of the Award for full conditions of such a deferment.*

All rates on this summary are gross (before tax)

Children Services Employee Level 1 Grade One				
Cleaner	1.1	\$608.90	\$16.02	\$19.23
Kitchen Hand	1.2	\$615.60	\$16.20	\$19.44
Children Services Employee Level 1 Grade Two (Cook/Gardener)				
On Commencement	1.3	\$619.80	\$16.31	\$19.57
After 1 year in the industry	1.4	\$628.10	\$16.53	\$19.83
Children Services Employee Level 2				
On Commencement	2.1	\$608.90	\$16.02	\$19.23
After 1 year in the industry	2.2	\$618.30	\$16.27	\$19.53
After 2 years in the industry	2.3	\$627.80	\$16.52	\$19.83
After 3 years in the industry	2.4	\$637.30	\$16.77	\$20.13

CURRENT AWARD LEVEL	LEVEL	WEEKLY	HOURLY	CASUAL 20% LOADING		
Children Services Employee Level 2 E Worker						
On Commencement	2.5	\$653.50	\$17.20	\$20.64		
After 1 year in the industry	2.6	\$661.50	\$17.41	\$20.89		
Children's Services Employee Level 3						
On Commencement	3.1	\$663.50	\$17.46	\$20.95		
After 1 year in the industry	3.2	\$686.50	\$18.07	\$21.68		
After 2 years in the industry	3.3	\$708.00	\$18.63	\$22.36		
CSE Level 3 holding AQF Certificate IV						
On Commencement	3.4	\$726.10	\$19.11	\$22.93		
CSE Level 3 holding AQF Diploma in Children's Services						
On Commencement	3.5	\$747.35	\$19.67	\$23.60		
CSE Level 3 - E Worker						
On Commencement	3.5	\$747.35	\$19.67	\$23.60		
<i>Note: Pay Level 3.5 is fixed at the mid-point between the Level 3.3 rate and the Level 4.1 rate</i>						
Children Services Employee Level 4						
On Commencement	4.1	\$786.70	\$20.70	\$24.84		
After 1 year in the industry	4.2	\$798.50	\$21.01	\$25.22		
After 2 years in the industry	4.3	\$810.20	\$21.32	\$25.59		
Children Services Employee Level 5						
On Commencement	5.1	\$822.60	\$21.65	\$25.98		
After 1 year in the industry	5.2	\$834.40	\$21.96	\$26.35		
After 2 years in the industry	5.3	\$846.10	\$22.27	\$26.72		
<i>Note: An Assistant Director who holds an Advanced Diploma (AQF 6) must be paid no less than</i>						
On Commencement	5.4	\$849.20	\$22.35	\$26.82		
Children's Services Employee Level 6 Grade 1						
On Commencement	6.1	\$953.00	\$25.08	\$30.09		
After 1 year in the industry	6.2	\$964.75	\$25.39	\$30.47		
After 2 years in the industry	6.3	\$976.50	\$25.70	\$30.84		
Grade 2						
On Commencement	6.4	\$1,012.40	\$26.64	\$31.97		
After 1 year in the industry	6.5	\$1,021.80	\$26.89	\$32.27		
After 2 years in the industry	6.6	\$1,033.60	\$27.20	\$32.64		
Grade 3						
On Commencement	6.7	\$1,045.90	\$27.52	\$33.03		
After 1 year in the industry	6.8	\$1,057.70	\$27.83	\$33.40		
After 2 years in the industry	6.9	\$1,069.50	\$28.14	\$33.77		
* A Director or Assistant Director who holds a Graduate Certificate in Child Care Management or equivalent will be paid an all-purpose allowance, calculated at 5% of the weekly rate for Assistant Director (Pay Level 5.3).						
JUNIOR CHILD CARE GIVER		20 Years	19 Years	18 Years	17 Years	16 Years and under
On Commencement	2.1	\$578.46	\$517.57	\$456.68	\$365.34	\$304.45
After 1 year in the industry	2.2	\$587.39	\$525.56	\$463.73	\$370.98	\$309.15
After 2 years in the industry	2.3	\$596.41	\$533.63	\$470.85	\$376.68	\$313.90
After 3 years in the industry	2.4	\$605.44	\$541.71	\$477.98	\$382.38	\$318.65
Junior employees can only be paid junior rates if they are employed as a Children Services Employee (Level 2). Other Children Services Employees are required to be paid at the appropriate adult rate.						

CURRENT AWARD LEVEL	LEVEL	WEEKLY	HOURLY	CASUAL 20% LOADING
Pre-School Teachers				
Step 1	7.1	\$754.80	\$19.86	\$23.84
Step 2	7.2	\$786.70	\$20.70	\$24.84
Step 3	7.3	\$818.50	\$21.54	\$25.85
Step 4	7.4	\$843.90	\$22.21	\$26.65
Step 5	7.5	\$867.50	\$22.83	\$27.39
Step 6	7.6	\$899.40	\$23.67	\$28.40
Step 7	7.7	\$934.50	\$24.59	\$29.51
Step 8	7.8	\$963.10	\$25.34	\$30.41
Step 9	7.9	\$988.70	\$26.02	\$31.22
Step 10	7.10	\$1,020.60	\$26.86	\$32.23
Step 11	7.11	\$1,052.40	\$27.69	\$33.23

Children's Services (Private) Award

Classifications: There are three categories of workers in this award. Full-time, part-time and casual. An employee's category depends entirely upon what basis he or she is employed. It does not depend upon the number of hours worked.

Full Time Employee: The ordinary hours of work for a full-time employee shall be an average of 38 per week to be worked on one of the following bases: 38 hours within a work cycle not exceeding seven consecutive days; or 76 hours within a work cycle not exceeding 14 consecutive days; or 114 hours within a work cycle not exceeding 21 consecutive days; or 152 hours within a work cycle not exceeding 28 consecutive days. The ordinary hours of work shall be worked on any or all days of the week, Monday to Friday, inclusive, worked between the hours of 7.00am and 6.00pm. Such hours shall be worked continuously except for meal breaks. A maximum of five hours may be worked prior to a meal break. Where an employee works more than five hours without a meal break, all time worked in excess of five hours shall be paid at overtime rates.

Part Time Employee: Part time employees are engaged on a weekly basis for less than that prescribed in Clause 8 - Hours of Work. The minimum engagement is three hours in any one period of duty. Part time employees are paid an hourly rate equal to 1/38 of the weekly wage and are entitled to paid annual leave, sick leave, compassionate leave and paid public holidays in proportion to the number of ordinary hours worked each week. **Part time employees working 19 hours per week or less will need to have 24 months experience at each increment level before any further progression.**

Casual Employee: An employee is deemed to be a casual employee if the employee is regularly employed for less than four weeks. A casual employee receives a loading of 20% on the ordinary hourly rate for a full time employee (with a minimum payment for three hours) in lieu of sick leave, annual leave and paid public holidays.

Overtime: All hours worked in excess of ordinary hours Monday to Friday are to be paid at the rate of time and one half for the first two hours and double time thereafter. All work performed on a Saturday or Sunday shall be paid at the rate of double time. Work performed on public holidays is paid for at the rate of double time and one half.

Meal Breaks: The minimum time allowed for a meal is 30 minutes and not more than one hour. Where an employee, without being notified on the previous day, is required to continue working after the usual ceasing time for two hours or more the employee shall be provided with a meal free of charge or be paid **\$9.85** for such meal.

Sick Leave: Full time and part time are entitled to paid sick leave if they are unable to attend or remain at work because of ill health or injury (other than illness or injury compensated under the *Workers Compensation and Injury Management Act 1981*) and if they have sufficient sick leave credits. Sick Leave credits accrue on weekly basis of 1.461 hours for every week of completed service. This accrues proportionately for part time employees based on the average number of hours worked each week.

Carer's leave: The *Minimum Conditions of Employment Act 1993* permits an employee to take paid carer's leave in certain circumstances. Such leave is to be deducted from an employee's personal leave (commonly known as sick leave); it is not a separate leave entitlement. There is also an entitlement to unpaid carer's leave in certain circumstances.

Annual Leave: Full time and part time employees are entitled to 4 weeks paid annual leave (plus a loading of 17.5%) per 12 month period. Annual leave accrues weekly at the rate of 2.923 hours per completed week of service for a full time employee, and on a proportionate basis for a part time employee. Full time and part time employees who leave their employment, or are terminated, may be entitled to be paid their unused annual leave. This includes annual leave accrued in an incomplete year of service.

Contract Of Service: This award prescribes a minimum of two week's notice or pay in lieu (on either side) to terminate the employment of full time or part time employees.

For employers the notice provisions of the award must be read in conjunction with those in the *Fair Work Act 2009*, as a greater period of notice may be required.

Time and Wage Records: Each employer bound by this award shall maintain a record at each establishment, containing information relating to each worker. A Times and Wages publication is available on the Department of Commerce website explaining the way time and wage records are maintained and the rules relating to inspection of these records. For further advice please contact Wageline on 1300 655 266.

Location Allowance: In addition to the rates prescribed in the wages clause of this award, an employee shall be paid a weekly allowance when employed in the towns prescribed by this clause for regional Western Australia. See full copy of the award for details at www.wairc.wa.gov.au.

Superannuation: The Federal Government's *Superannuation Guarantee Charge Act 1992* requires that all employers (including companies) shall make superannuation contributions, at least quarterly, to an approved fund for most employees with gross earnings of more than \$450 per month. The current rate of contribution is 9% of your earnings base. Further information is available from the Superannuation Helpline on 13 10 20. For further information regarding choice of fund provisions, telephone Wageline on 1300 655 266.

The following clauses may provide further entitlements depending on business operations and work arrangements.

Scope: This award shall apply to all employees employed in the classifications set out in Clause 22. - Wages of this award, in private nurseries, private child care or private day care facilities which provide care for children and which do not receive recurrent funding from State or Federal governments

Minimum Adult Award Wage: This clause sets out the provisions for the application of the Minimum Adult Award Wage

State Wage Principles – June 1991: It is a term of this Award that the Union undertakes for the duration of the Principles determined by the Commission in Court Session in Application No. 704 of 1991 not to pursue any extra claims, award or over award, except when consistent with the State Wage Principles

Public Holidays: The public holidays specified in the award must be allowed as holidays without deduction of pay for permanent employees subject to the provisions contained in clause. 14. A full copy of the award is available at www.wairc.wa.gov.au

Long Service Leave: An employee's entitlement to long service leave under this award will be as prescribed by the *Long Service Leave Act 1958*. Under this Act, an employee is entitled to 8.667 weeks long service leave after 10 continuous years of service. An employee who has completed at least seven continuous years of service may be entitled to pro rata long service leave on termination. **For further information, or to obtain a copy of a publication regarding long service leave, please contact Wageline on 1300 655 266.**

Payment of Wages: Wages must be paid weekly or fortnightly at the employer's discretion and accompanied by a payslip.

Time and Wages Record and Right of Entry: A representative of the Union can enter an employer's premises provided the employer is the employer, or former employer of a member of the Union. **The provisions of this clause will need to be read in conjunction with the *Industrial Relations Act 1979*.**

Maternity Leave: An employee who becomes pregnant is entitled to up to 52 weeks unpaid leave, provided that she has had not less than 12 months' continuous service with that employer. **This clause operates in conjunction with the Minimum Conditions of Employment Act 1993, providing additional parental leave entitlements.**

Bereavement Leave: On the death of a wife, husband, de-facto wife or de-facto husband, father, father-in-law, mother, mother-in-law, brother, sister, child or stepchild an employee is entitled to paid leave for a period of up to 2 ordinary working days. **The Minimum Conditions of Employment Act 1993 extends bereavement leave to the death of a grandparent.**

Award Modernisation and Enterprise Consultation: The parties to this award are committed to co-operating positively to increase the efficiency and productivity of the industry and to enhancing employees' career opportunities and job security.

Liberty to Apply: Liberty is reserved to the parties to make application to vary this award during the term of the award with respect to the provisions specified in this clause.

No Reduction: For the purposes of this award no specified condition or wage shall apply to Pre-School Teachers employed prior to 22 June 1994.

Redundancy: Redundancy occurs when an employer decides that the employer no longer wishes the job the employee has been doing to be done by anyone and this is not due to the ordinary and customary turnover of labour. This award is subject to and must be read in conjunction with the Termination, Change and Redundancy General Order of the Western Australian Industrial Relations Commission. In some instances TCR order may offer a greater benefit, in these instances the employee will receive whichever is greater. This General Order prescribes for many employees an entitlement to severance payments of up to 16 weeks of pay. This entitlement does not apply if the employer has fewer than 15 employees.

Other mandatory requirements on termination or introduction of change in the workplace include:

- * written notice of and discussions with employees about significant change in which job restructuring, changing of hours or location or operational changes in the business may occur;
- * time off of up to one day's paid leave during each week of the notice period to search for other employment; and
- * if requested by the employee, a statement specifying the period of employment and classification or type of work performed.

Relationship to the National Training Wage Award: Parties and respondents to this award shall comply with the terms of the National Training Wage Award.

Reimbursement of Certain Expenses: Outlines the provisions regarding First Aid certificates, Health Screenings and Police Clearances.

Appendix – Resolution of Disputes Requirement

Schedule A – Parties to the Award

Liquor, Hospitality and Miscellaneous Union, Western Australian Branch

Contact Details

www.lhmu.org.au

Telephone (08) 9388 5400

Toll Free 1800 199 890

Facsimile (08) 9382 3986

Email lhmuwa@lhmu.org.au

Schedule B – Respondents

Schedule C – Translation to New Wages and Classification Structure

Appendix – S.49B – Inspection of Records Requirements

For further information on any of the clauses in this award, please contact Wageline on 1300 655 266.

CLASSIFICATION DEFINITIONS AND SKILL DESCRIPTORS

Children's Services Employee Level 1

Grade one

Definition An untrained ancillary employee employed to clean or work as a kitchen hand.

Skill descriptors

- Is responsible for the quality of the employee's own work subject to direct supervision;
- Works under direct supervision either individually or in a team environment; and
- Exercises discretion within the level of the employee's skills in the performance of tasks.

Grade two

Definition An untrained ancillary employee who is employed to undertake cooking or gardening duties.

Skill descriptors

- Works under routine supervision either individually or in a team environment;
- Is responsible for assuring the quality of the employee's own work subject to routine supervision;
- Is required to exercise discretion during the course of his/her own work.

Children's Services Employee Level 2

Definition An employee working under routine supervision, engaged to assist in the supervision and care of children and generally to assist in the functioning of the centre. This is also an employee who is appointed as an E Worker that does not meet the requirements of subclause (3)(a)(i) and subclause (3)(a)(ii) of this clause.

Skill descriptors

- Maintain a clean, hygienic environment;
- Maintain and attend to personal hygiene of children;
- Maintain and attend to own personal hygiene;
- Attend to nutritional needs of children;
- Respond to child's apparent ill-health;
- Respond to accident, emergency or threat;
- Implement routines which enhance well being;
- Interact positively and appropriately with children;
- Participate in the planning and preparation of programmes;
- Assist to prepare an environment based on programme requirements;
- Assist in the implementation of programmes;
- Contribute to team approach;
- Seek to further professional development;
- Liaise effectively with parents;
- Uphold the Centre's philosophy;
- Participate in appropriate administrative processes;
- Contribute to maintenance and care of buildings and equipment; and
- Implement Centre policies and procedures.

Additional duties of an employee at this level with more than 2 years experience in the industry may include the following:

- Assist in the facilitation of programmes suited to the needs of individual children and groups;
- Provide input to trained staff by observations of individual children and groups;
- Work under direction with individual children with special needs.

An E Worker at this level will take on the same duties and perform the same tasks as a CSE Level 2 and:

- Is able to display various methods and techniques of child management;
- Is able to direct other staff members when exercising responsibility in their allocated area;
- Possesses observational skills in excess of CSE;
- Participates in a team approach to the delivery of care.

Subject to this Award, an employee at this Level is entitled to incremental progression to pay level 2.3. However, an employee at this level who is an E Worker must be paid no less than the rate prescribed for pay Level 2.5, and may progress to level 2.6.

Children's Services Employee Level 3

Definition

- (i) has completed AQF Certificate III in Children's Services or an equivalent qualification; or
- (ii) possesses, in the opinion of the employer, sufficient knowledge or experience to perform the duties at this level.

This is also an employee who is appointed as an E Worker that meets the requirements of subclause (3)(a)(i) or subclause (3)(a)(ii) of this clause.

Skill descriptors An employee appointed at this level will undertake the same duties and perform the same tasks as a CSE Level 2 employee, and will undertake the following additional indicative duties:

- Assist in the preparation, implementation and evaluation of developmentally appropriate programs for individual children or groups;
- Responsible for recording observations of individual children or groups for program planning purposes for qualified staff
- Under direction, work with individual children with particular needs.
- Assist in the direction of untrained staff
- Undertake and implement the requirements of quality assurance.
- Work in accordance with food safety regulations

An E Worker will take on the same duties and perform the same tasks as a CSE Level 3 and:

- Is able to display various methods and techniques of child management;
- Is able to direct other staff members when exercising responsibility in their allocated area;
- Possesses observational skills in excess of CSE;
- Participates in a team approach to the delivery of care.

Subject to this Award, an employee at this Level is entitled to incremental progression to pay level 3.3. However:

- An employee at this level who holds a relevant AQF Certificate IV or equivalent and who exercises skills and competencies beyond those required for AQF Certificate III in the ongoing performance of their work must be paid no less than the rate prescribed for pay Level 3.4.
- An employee at this level who has completed an AQF Diploma in Children's Services or equivalent, and who applies skills and knowledge acquired beyond the competencies required for AQF Certificate III in the on-going performance of their work, must be paid no less than the rate prescribed for pay Level 3.5.

- An employee at this level who is an E Worker must be paid no less than the rate prescribed for pay Level 3.5.
- Any dispute concerning an employee's entitlement to be paid at pay Level 3.5 may be referred to a Board of Reference appointed under Clause 22. – Wages subclause (6)(g)(ii) of this award. A Board of Reference may require an employee to demonstrate to its satisfaction that the employee utilises skills and knowledge above those prescribed for Level 3 but below those prescribed for Level 4.

Children's Services Employee Level 4

Definition This is an employee who has completed a Diploma in Children's Services or equivalent as recognised by licensing authorities and is appointed as the person in charge of a group of children in the age range from birth to 6 years. It shall also include persons employed as supplementary service grants (SUPS) employees and persons who do not hold approved qualifications but who have obtained an exemption from the Child Care Licensing Unit to work at this level and who are so appointed.

Skill descriptors An employee appointed at this level will take on the same duties and perform the same tasks as a CSE Level 3 and undertake the following additional indicative duties:

- Responsible, in consultation with the Assistant Director/Director for the preparation, implementation and evaluation of a developmentally appropriate program for individual children or groups of children in care.
- Responsible for the direction and general supervision of other employees up to CSE Level 3.
- Responsible to the Assistant Director/Director for the supervision of students on placement.
- Ensure a safe environment is maintained for both staff and children.
- Ensure that records are maintained accurately for each child in their care.
- Develop, implement and evaluate daily care routines.
- Ensure the centre or service's policies and procedures are adhered to.
- Liaise with families.

Children's Services Employee Level 5

Definition This is an employee who has completed a [AQF 5] Diploma in Children's Services or equivalent, and/or is appointed as either an Assistant Director of a service, or a Children's Services Coordinator.

Skill descriptors An Assistant Director appointed at this level will take on the same duties and perform the same tasks as a CSE Level 4 and be responsible for the following additional indicative duties:

- Coordinate and direct the activities of employees engaged in the implementation and evaluation of developmentally appropriate programs;
- Contribute, through the Director, to the development of the centre or service's policies;
- Coordinate centre operations including Occupational Health and Safety, program planning, staff training;
- Take responsibility for the day-to-day management of the centre or service in the temporary absence of the Director and for management and compliance with licensing and all statutory and quality assurance issues; and
- Generally supervise all employees within the service.

A Children's Services Coordinator undertakes additional responsibilities including coordinating the activities of more than one group, supervising staff, trainees and students on placement, and assisting in administrative functions.

An Assistant Director who holds an Advanced Diploma (AQF 6) must be paid no less than CSE Level 5.4. Pay Level 5.4 has a 145% relativity to the Pay level 3.1 [C10] rate.

Qualification Allowance: An Assistant Director who holds a graduate qualification in child care management or other relevant qualification is entitled to an all purpose allowance equivalent to 5 per cent of the rate of pay for specified for Level 5.3 (see Note 3 after subclause (1)(f) of Clause 22. - Wages of this award).

Children's Services Employee Level 6 - Director

Definition

(i) An employee who holds:

- a relevant Degree, or
- an AQF Advanced Diploma, or
- a Diploma in Children's Services, or
- a Diploma in Out of Hours Care, or
- is a person possessing such experience, or holding such qualifications deemed by the employer to be appropriate to the position, and

(ii) An employee who is appointed as the Director of a Service and is responsible for the overall management and administration of the service with the following additional skill descriptors:

- supervise the implementation of developmentally appropriate programs for children;
- recruit staff in accordance with relevant regulations;
- maintain day-to-day accounts and handle all administrative matters;
- ensure that the centre or service adheres to all relevant regulations and statutory requirements;
- ensure that the centre or service meets or exceeds quality assurance requirements;
- liaise with families and outside agencies;
- formulate and evaluate annual budgets;
- liaise with management committees or proprietors as appropriate;
- provide professional leadership and development to staff;
- develop and maintain policies and practices for the centre or service, or

(iii) is appointed to act as the Supervising Officer pursuant to the Community Services (Child Care) Regulations 1988 as amended.

Director Level 1

A Director Level 1 is an employee appointed as the Director of a service licensed for up to 39 children and paid at the Level 6.1 to 6.3 salary range.

Director Level 2

A Director Level 2 is an employee appointed as the Director of a service licensed for between 40 and 59 children and is paid at the Level 6.4 to 6.6 salary range.

Director Level 3

A Director Level 3 is an employee appointed as the Director of a service licensed for 60 or more children and paid at the Level 6.7 to 6.9 salary range

Qualification Allowance: A Director who holds a graduate qualification in child care management or other relevant qualification is entitled to an all-purpose allowance equivalent to 5 per cent of the rate of pay for specified for Level 5.3 (see Note 3 after subclause (1)(f) of Clause 22. - Wages of this award).

Pre-School Teachers

Definition

- Three year trained teacher holding a Diploma of Teaching, or equivalent, or a teacher holding a University degree (other than a Bachelor of Education) and paid at the Pre-School Teacher Level 7.1 to 7.7 range.
- Teacher holding: University degree and Diploma of Education, or University degree and Teacher's certificate, or a Bachelor of Education Degree and paid at the Pre-School Teacher Level 7.3 to 7.11 range.
- Teacher holding the qualifications outlined in 7.1.2 plus a second degree or higher degree such as a graduate diploma or a degree at honours level and paid at the Pre-School Teacher Level 7.4 to 7.11 range.

Translation Arrangements and Savings Provision for Classification Structure

6(a) Savings

No employee shall suffer a reduction in wages and/or allowances as a result of the insertion of the new classification structure into this award on 23 March 2006.

(b) Commencement

Subject to Principle 12 of the Commission's Statement of Principles, the provisions of this clause and the provisions of Schedule C, the rates of pay set out in this award will apply from the first full pay period to commence on or after 23 March 2006.

(c) Translation

(i) An employee whose duties fall within the classification structure set out in this award should confer with his or her employer and seek to reach agreement on the translation of the employee to the terms of this award.

(ii) Employees will translate to the new classification structure on the basis of the following principles:

- Except where otherwise provided in this clause, where an existing employee is appointed to a higher classification than they currently enjoy, they will translate to the "on commencement" rate for that classification;
- Where an existing employee retains their existing classification, they will retain their current incremental position in that classification based on their years of experience in the industry;
- New employees, or current employees who are subsequently reclassified to a higher grade, will be paid at the "on commencement" rate for the classification to which they are appointed and will progress through the scale according to the factors listed in subclause (3) of this clause.

(iii) Despite subclause (6)(c)(ii) of this clause:

- Existing Child Care Giver employees will be classified according to their duties and their years of experience in the industry. Thus an existing Child Care Giver employee with more than two years experience will be classified at the new CSE Level 2.3. A Child Care Giver employee with more than one year but less than two years experience will be classified at the new CSE Level 2.2.
- Existing Child Care Giver employees will be classified as either CSE Level 2 or CSE Level 3 employees depending on their qualifications and/or duties and their experience in the industry. A Child Care Giver Employee without Certificate III will normally be classified at CSE Level 2, unless they have been previously recognised by the employer as having the knowledge or experience to perform CSE Level 3 duties, in which case they will be classified as CSE Level 3. Both will be entitled to immediate recognition of their years of experience in the industry (ie. a Certificate III employee with more than two years of experience will be classified at the new CSE Level 3.3).

- Existing E Worker employees will be classified at the new CSE Level 3.5.
- Existing Qualified Child Care Giver employees will, depending on their qualifications and/or duties and their experience in the industry, be classified as either CSE Level 4.1, 4.2 or 4.3. Each will be entitled to immediate recognition of their years of experience in the industry at this level.
- Existing Assistant Director employees will, depending on their qualifications and/or experience in the industry, be classified as either Assistant Director pay level 5.1, 5.2, 5.3 or 5.4. Each will be entitled to immediate recognition of their years of experience in the industry
- Existing Director employees will, depending on the number of children the service is licensed for be classified as either Director Grade 1, Director Grade 2 or Director Grade 3. Each will be entitled to immediate recognition of their years of experience in the industry. No director shall suffer a loss of pay as a result of the transition to the new classification structure. Any employee who would suffer a loss of pay as a result of the transition to the new classification structure shall maintain their rate of pay as immediately prior to 23 March 2006.