



INTERNET
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www.wairc.wa.gov.au
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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: **Electrical Contracting Industry 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.

All rates on this summary are gross (before tax)			
ADULT WORKERS	WEEKLY	HOURLY	CASUAL 20% Loading
Level 1			
Electronics Tradesman	\$794.20	\$20.90	\$25.08
Level 2			
Instrument Fitter/Electrical Grade 2	\$743.50	\$19.57	\$23.48
Electrician - Special Class	\$735.80	\$19.36	\$23.24
Level 3			
Instrument Fitter/Electrical Grade 1	\$729.20	\$19.19	\$23.03
Electrical Installer / Mechanic	\$711.60	\$18.73	\$22.47
Electrical Fitter	\$711.60	\$18.73	\$22.47
Cable Jointer	\$711.60	\$18.73	\$22.47
Linesperson Grade 1 (i.e.. with not less than 3 years' experience as a linesperson)	\$711.60	\$18.73	\$22.47
Level 4			
Linesperson Grade 2 (i.e.. with less than 3 years' experience as a linesperson)	\$695.60	\$18.31	\$21.97
Level 5			
Electrical Assistant	\$639.00	\$16.82	\$20.18
TOOL ALLOWANCE*	\$14.20		

* Tool allowance is paid if tools are not provided to a tradesman or an apprentice by the employer.

LICENCE ALLOWANCE

A tradesperson who holds and in the course of his/her employment may be required to use a current "A" Grade or "B" Grade licence issued pursuant to the relevant regulation in force at the date of this Award under the *Electricity Act 1945* , shall be paid **\$20.90** per week.

These allowances shall be included in, and form part of the ordinary weekly wages prescribed by this award.

APPRENTICES		% of Electrical				
4 YEAR	3.5 YEAR	3 YEAR	Installer	WEEKLY	HOURLY	TOOLS*
1st Year	0-6 months		39%	\$277.52	\$7.30	\$5.54
2nd Year	7-18 months	1st year	51%	\$362.92	\$9.55	\$7.24
3rd Year	19-30 months	2nd year	67%	\$476.77	\$12.55	\$9.51
4th Year	31-42 months	3rd year	79%	\$562.16	\$14.79	\$11.22

ADULT APPRENTICES

Apprentices aged 21 and above receive the minimum adult wage of **\$497.60 per week** or the prescribed apprenticeship rate, WHICHEVER IS THE HIGHER, for ordinary hours of work. This rate is payable on superannuation and during any period of paid leave prescribed by this award. Where in the Award an additional rate is expressed as a percentage, fraction, multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this Award for the actual year of apprenticeship.

LEADING HAND ALLOWANCE

In addition to the appropriate total weekly wage prescribed by the award a leading hand shall be paid if placed in charge of:

not less than 3 nor more than 10 other employees	\$24.70
more than 10 and not more than 20 other employees	\$37.80
more than 20 other employees	\$48.70

GRIEVANCE PROCEDURE / SPECIAL ALLOWANCE

A special allowance of **\$29.30** per week is to be paid as a flat amount each week except where direct action takes place. An apprentice shall be paid the appropriate percentage rate of an Electrical Installer / Mechanic for this allowance, as stated above in the wage schedule against their year of apprenticeship.

Electrical Contracting Industry Award

Classifications: There are four categories of employees in this award: full time, part time, casual and apprentices. An employee's category depends entirely upon what basis he or she is employed. It does not depend on the number of hours worked. There are restrictions on the employment of apprentices and casual and part time employee's and it is the employers responsibility to decide on what basis an employee is to be engaged. This is to ensure that an employee understands what the nature of his/her employment is before commencement of work.

Full Time Workers: Are employees engaged on a weekly basis which should not exceed 38 hours within a work cycle over seven days, 76 hours within a work cycle over fourteen days, 114 hours within a work cycle over twenty one days, 152 hours within a work cycle over twenty eight days and should be paid on a weekly or fortnightly basis where both the employer and employee agree. The ordinary hours of work shall be between Monday and Friday and, with the exception of shift employees, shall be worked between 6.00am and 6.00pm.

Shift Workers: Employees who are not performing work on construction sites shall be paid an additional 15% on their ordinary wage for afternoon and night shifts. Shift workers who are on construction sites shall be paid an additional 25% on their ordinary wage.

Part Time Workers: Are employees engaged on a weekly basis and paid as such for a period of not more than 24 hours per week. They receive paid annual leave, sick leave, and public holidays. All time worked in excess of ordinary hours shall be paid at overtime rates.

Casual Work: A worker shall be deemed to be a casual employee if the duration of employment does not exceed one month, or if no notification is given in respect to the period of employment and the employee is dismissed through no fault of their own within one month of commencing work. They receive 20% loading on the ordinary hourly rate, however they are not entitled to annual leave, public holidays or sick pay.

Overtime: All time worked in excess of the prescribed ordinary hours shall be deemed to be overtime and paid at time and one half for the first two hours and double time thereafter, in computing overtime each day shall stand alone. All work performed after 12:00 (midday) on Saturday and on Sundays shall be paid at double time. Work performed on a public holiday shall be paid at the rate of double time and one half. For full details of this clause refer to a full copy of the award at www.wairc.wa.gov.au.

Meal Interval: An employee shall not be required to work longer than five hours without a meal break of not more than 1 hour. If the meal interval is postponed for more than half an hour the employee shall receive overtime rates until they are provided with a meal. A break of ten minutes shall be allowed at the convenience of the employer.

Meal Allowance: An employee required to work overtime for more than two hours without being notified on the previous day or earlier that they will be so required to work overtime shall be supplied with a meal by the employer or be paid **\$11.15** for such meal and for a second or subsequent meal if so required.

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.

Sick Leave: Full time, part time employees and apprentices 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.

Contract of Service: The period of notice required in the case of full time or part time employees is outlined in the table below. The notice required to terminate a casual employee is one hour.

Period of continuous service	Period of notice
During the first month	1 day
More than 1 month but less than 1 year	1 week
More than 1 year but less than 3 years	2 weeks
More than 3 years but less than 5 years	3 weeks
5 years and over	4 weeks

An employee who at the time of being given notice is over 45 years of age and who at the date of termination has completed two years' continuous service with the employer, shall be entitled to one week's notice in addition to the notice prescribed above. In lieu of giving the period of notice the contract shall be terminable by the payment or forfeiture, as the case may be, of ordinary wages for the period of notice which should have been given. An employee who is engaged for the major and substantial portion of their time on construction sites and who has completed one month's service, should be given one weeks ordinary payment by the employer in lieu of notice.

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 Record: 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 records are maintained and the rules relating to inspection of these records.

Location Allowances: 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 contributions is 9% of your earnings base. Further information is available from the Superannuation Helpline on 13 10 20 or at www.ato.gov.au/super. For further information regarding choice of fund provisions, telephone **Wageline on 1300 655 266**.

Special Rates and Provisions: Special rates and conditions apply under the award for height money, dirt money, grain dust, confined space, diesel engine ships, boiler work, hot work, percussion tools, chemical, artificial manure and cement works, abattoirs, phosphate ships, special rates not cumulative, protective equipment, first aid allowance, tool allowance, nominee and amenities. For further information see award.

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

Area and Scope: This award relates to the Electrical Contracting Industry within the State of Western Australia and to all work done by employees employed in the classification shown in the First Schedule - Wages and employed by the respondents in connection with the wiring, contracting, maintenance and the installation and maintenance of electrical light and power plants, and the installation of all classes of wiring, repair and maintenance of electric and electronic installations and equipment including switchboards and appliances carried out by the respondents as electrical contractors. Provided that the award shall not apply to the manufacturing section of the business of any of the respondents.

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

Safety Footwear: An employee on "construction work" must be paid an hourly allowance to compensate them for the requirement to wear approved safety footwear.

Higher Duties: Where an employee performs duties for which a higher rate of pay is applicable the employee must be paid in accordance with the provisions of this clause.

Supported Wages: This Clause defines the conditions, which will apply to employees who because of the effects of a disability are eligible for a supported wage under the terms of this Award.

Apprentices: Apprentices may be taken in the ratio of one apprentice for every one or two tradesperson.

Payment of Wages: Each employee must be paid, where the employer and employee agree, weekly or fortnightly, prior to the finishing time of work.

Representative Interviewing Employees: 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*.**

Posting of Awards and Union Notices: The employer must keep a copy of this award in a convenient place in the workshop and provide a notice board for the posting of union notices.

Special Rates and Provisions: Special rates and allowances are applicable in relation to specific working conditions, protective equipment and the possession of a certificate and/or license.

Car Allowance: Where an employee is required and authorised to use their own motor vehicle in the course of their duties the employee shall be paid an allowance of **73.6** cents per kilometre travelled.

Allowance for Travelling and Employment in Construction Work: An employer must pay an employee for time spent and/or for fares incurred whilst travelling to a job away from their usual workshop.

Distant Work: Where an employee is required to work away and cannot return home each night the employer must provide, or pay the expenses reasonably incurred by the employee for board and lodging.

Public Holidays and Annual Leave: The public holidays specified in the award must be allowed as holidays without loss of pay for permanent employees subject to the provisions contained in this clause.

Bereavement Leave: An employee is entitled to paid leave of up to 2 ordinary working days on the death of spouse, de facto spouse, child, step child, child-in-law, parent, step parent, parent-in-law, sibling, step sibling, sibling-in-law, grandparent, step grandparent and any person, who immediately before that persons death, lived with the employee. **The provisions of this clause will also need to be read in conjunction with the *Minimum Conditions of Employment Act 1993*.**

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.**

Board of Reference: The Board of Reference may allow, approve, fix, determine, or deal with any matter, thing or provision under the award.

Late Comers: An employer may utilise a proportion of an hour when calculating working time for employees who report for duty after, or cease duty before, their appointed starting and finishing times.

Special Provisions – Western Power Corporation: This Clause shall apply to any employee who is engaged on construction work being carried out for the Western Power Corporation at Kwinana or Muja.

Seniority on Termination: When an employer elects to reduce the number of employees on site they must comply with Clause 7 – Contract of Service and give consideration to the employee’s length of service.

Trade Union Training: An accredited Shop Steward, upon application in writing by the Union, must be granted up to two days leave with pay to attend a Trade Union Training Authority Course.

Union Steward: With regard to construction work an employer who wishes to transfer the services of an employee who is a duly elected Union steward, shall give two days notice to the Union of such intention.

Other than Construction Work: Provides the conditions for shifts on work other than construction work. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Grievance Procedure and Special Allowance: Sets out a procedure for avoiding industrial disputes. For further information relating to this clause please see full copy of the award available from www.wairc.wa.gov.au.

Parental Leave: An employee, who becomes pregnant, is entitled to up 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.**

Adverse Weather: Sets out the conditions and provisions for employees working on a construction site in adverse weather.

Structural Efficiency: 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.

Redundancy: Defines redundancy and outlines the entitlements of certain employees when made redundant. A redundant employee shall receive redundancy/ severance payments, calculated as follows, in respect of all continuous service (as defined in subclause (4) of this clause) with his or her employer provided that any service prior to 22 November 1990 shall not be counted as service.

Period of Continuous Service With An Employer	Redundancy/Severance Pay
1 year or more but	2.4 weeks' pay plus, for all less than 2 years service in excess of 1 year, 1.75 hours' pay per completed week of service up to a maximum of 4.8 weeks' pay.
2 years or more but	4.8 weeks' pay plus, for all less than 3 years service in excess of 2 years, 1.6 hours' pay per completed week of service up to a maximum of 7 weeks' pay.
3 years or more but	7 weeks' pay plus, for all less than 4 years service in excess of 3 years, 0.73 hours' pay per completed week of service up to a maximum of 8 weeks' pay.
4 years or more	8 weeks' pay.

Provided that an employee employed for less than twelve (12) months shall be entitled to a redundancy/severance payment of 1.75 hours per week of service if, and only if, redundancy is occasioned otherwise than by the employee.

However 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 the 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.

Liberty to Apply: Leave is reserved to any party to this award to make application to the Western Australian Industrial Relations Commission in respect to Clause 38. - Redundancy, if such a course is deemed to be appropriate because of changes in emerging industry standards.

Special Exemptions: Sets out the Clauses that Skilled Engineering and Drake Industrial are not required to observe.

First Schedule: Wages

Second Schedule: Respondents

Third Schedule: Named parties to the award

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Workers Union of Australia, Engineering and Electrical Division, WA Branch,

The ETU is the Electrical Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU).

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Contact Details

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

DEFINITIONS

(1) **"Electrical Fitter"** means an employee engaged in making, repairing, altering, assembling, testing, winding, or wiring electrical machines, instruments, meters, or other apparatus, other than wires leading thereto, but an employee shall not be deemed to be an electrical fitter-

- (a) Solely by reason of the fact that this work consists of placing electrodes in "neon" tubes sealed by the employee; or
- (b) If the employee is employed as a meter tester.

(2) **"Electrical Installer/Mechanic"** means an employee engaged in the installation of electric lighting, electric meters, bells, telephones or motors and apparatus used in connection therewith and includes an employee engaged in running, repairing or testing of conductors used for lighting, heating or power purposes but does not include an employee who is a linesperson or a meter fixer.

(3) **"Electrician - Special Class"** means, subject to paragraph (c) hereunder, an electrical fitter or electrical installer who –

- (a) (i) Has satisfactorily completed a prescribed post trade course in industrial electronics; or
- (ii) Has, whether through practical experience or otherwise, achieved a standard of knowledge comparable to that which would be achieved under sub-paragraph (i) hereof; and
- (b) (i) Is engaged on work on or in connection with complicated or intricate circuitry, which work requires for its performance the standard of knowledge referred to in paragraph (a) hereof;
- (ii) Is able, where necessary and practicable, to perform such work without supervision and to examine, diagnose and modify systems comprising inter-connected circuit; but does not include such an employee unless the work on which they are engaged requires for its performance, knowledge in excess of that gained by the satisfactory completion of the appropriate Technical College trade course.
- (c) For the purposes of this award an employee shall be deemed to be an Electrician - Special Class only for the time during which the employee meets the foregoing conditions, unless –
 - (i) That time exceeds 16 hours per week; or
 - (ii) In the opinion of the employer or, in the event of disagreement, in the opinion of the Board of Reference that time is likely during the course of their employment to exceed sixteen hours per week on average; in which case the employee shall be classified as Electrician - Special Class for as long as their employment continues on either of those bases.
- (d) In the event of disagreement about the implementation of this Electrician - Special Class provisions, a Board of Reference shall determine the matter.
- (e) For the purpose of this definition the following courses are deemed to be prescribed post trade courses in industrial electronics –
 - (i) Post Trade Industrial Electronics Course of the N.S.W. Department of Technical Education.
 - (ii) The Industrial Electronics Course (Grades 1 and 2) as approved by the Education Department of Victoria.
 - (iii) The Industrial Electronics Course of the South Australian School of Electrical Technology.
 - (iv) Industrial Electronics (Course "C") of the Department of Education, Queensland.
 - (v) The Industrial Electronics Course of the Technical Education Department of Tasmania.
 - (vi) The Certificate in Industrial Electronics of the Technical Education Division, Education Department of Western Australia.

(4) **"Electrician Commissioning"** means an electrical installer or electrical fitter other than an Electrician - Special Class having not less than two years on the job experience who during commissioning work is engaged on complex or intricate circuitry and is able to perform such work without supervision and to examine, diagnose and modify systems comprising inter-connected circuits and in so doing, if required, is capable of testing to a standard beyond tests covered by AS/NZS 3000:2000 Wiring Rules.

(5) **"Instrument Fitter/Electrical Grade 1"** means a tradesperson who is mainly engaged in installing, testing and/or repairing and maintaining electrical and/or electro-pneumatic measuring and/or recording appliances and/or scientific electrical instruments and associated services thereto, including small bore piping up to 25 m/m in diameter. An Instrument Fitter/Electrical Grade 1 shall demonstrate a knowledge and understanding of industrial instrumentation and be able to apply that knowledge and understanding to the tasks assigned by the employer. The required knowledge and understanding would have been gained by undertaking a formal training course run by a State Education Department or Technical Education Department or its equivalent or by at least 12 months on the job experience as a tradesperson at instrument work.

(6) "Instrument Fitter/Electrical Grade 2" means a tradesperson working at a level above that of Instrument Fitter/Electrical Grade 1, who is mainly engaged in installing, repairing, maintaining, servicing, testing, modifying, commissioning, calibrating and fault finding instruments which make up a complex control system which utilises some combination of electrical, electronic, mechanical, hydraulic and pneumatic principles. To be classified as an Instrument Fitter/Electrical Grade 2 a tradesperson will have:

- (a) Had a minimum of two years on the job experience as a tradesperson working predominantly on complex and/or intricate instruments and instrument systems as will enable the employee to perform such work under minimum supervision and technical guidance, and
- (b) Satisfactorily completed an appropriate post trade course equivalent to at least two years' part-time study or has achieved to the satisfaction of the employer a comparable standard of skill and knowledge by other means including in-plant training or on the job experience referred to in (a) above.

(7) "Electronics Tradesperson" means an electrical tradesperson working at a level beyond that of electrician special class and who is mainly engaged in applying their knowledge and skills to the tasks of installing, repairing, maintaining, servicing, modifying, commissioning, testing, fault finding and diagnosing of various forms of machinery and equipment which are electronically controlled by complex digital and/or analogue control systems utilising integrated circuitry. The application of this skill and knowledge would require an overall understanding of the operating principles of the systems and equipment on which the tradesperson is required to carry out their tasks. To be classified as an electronics tradesperson, a tradesperson must have at least three years on the job experience as a tradesperson in electronics systems utilising integrated circuits and in addition must have satisfactorily completed a post trades course in electronics equivalent to at least two years' part-time study. In addition, to be classified as an electronics trades, a tradesperson must be capable of –

- (a) Maintaining, repairing multi-function printed circuitry using circuit diagrams and test equipment;
- (b) Working under minimum supervision and technical guidance;
- (c) Providing technical guidance within the scope of the work described in this definition;
- (d) Preparing reports of a technical nature on specific tasks or assignments as directed and within the scope of the work described in this definition.

(8) "Linesperson" means an employee engaged (with or without assistance) in erecting poles for electrical wires, cables or other conductors or erecting wires, cables or other conductors on poles or over buildings, or tying them to insulators, or joining or insulating them, or doing any work on electrical poles off the ground.

(9) "Cable Jointer" shall mean an employee who is engaged in joining cables or sweating on lugs in connection with the installing and maintenance of underground or overhead distributing systems.

(10) "Electrical Assistant" shall mean an employee directly assisting any other employee covered by this award.