



THE BUILDING INDUSTRY SPECIALIST CONTRACTORS ORGANISATION

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EMAIL NEWS

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WAGE RATES EFFECTIVE FIRST FULL PAY PERIOD ON OR AFTER 1 JULY 2011

Fair Work Australia (FWA) in its Annual Wage Review for 2010-2011 decide to award an increase of 3.4% in all minimum award rates.

Whilst this amount can easily be calculated for awards where there are no 'extras', the building awards have a number of provisions which increase the basic amount, e.g, by industry allowances, etc.

Also, companies which were in existence at the time the modern awards came into being on 1 January 2010, do not pay the award rate shown in the modern award, but rather pay a transitional amount. That transitional amount is designed to phase in at 20% per year over five years, any increases or decreases in rates caused by the introduction of modern awards (generally the change is an increase). Because of the multiplicity of awards that were combined

FWA does not publish the transitional rate for each former award: more than 20 awards around Australia were combined into the Building and Construction General On-site Award 2010 (BCGOSA). The rates provided in this bulletin are provided courtesy of the Master Builders Australia NSW.

Where transitional rates apply to a company, they apply to all its employees, including employees who have been hired after 1 January 2010.

Attached to this bulletin are the BCGOSA rates and the transitional rates for employers previously covered by either the National Building and Construction Industry Award 1999 or the NSW Building and Construction General (State) Award (the rates for both former awards are the same).

For those who pay above award rates there is no obligation to pass on increases while ever the payment exceeds the award. However, most employees will expect to receive an increase so if the rates are not being increased, it would be sensible to explain the reason(s) to employees.

Copy of Award

All employers are required to make a copy of the relevant award (or enterprise agreement where an agreement has been made and approved) available to employees. This can be done electronically.

The Building and Construction Industry General On-Site Award 2010 (FWA reference MA000020) can be found at: http://www.fwa.gov.au/documents/modern_awards/award/MA000020/default.htm

Which rate?

Building industry specialist contractors will fall into one of the following groups:

- 1. Companies created after 1 January 2010.** For any constitutional corporation company which commenced trading after 1 January 2010, no transitional rates apply and the employer must pay the full amount prescribed by the Building and Construction General On-site Award 2010.
- 2. Employers who were bound by the National Building and Construction Industry Award 1999:** generally this means that the employer was named in the award, or, had become a member of the Master Painters Association before 1 March 2006, but see 5 below in regard to apprentices.
See the attached transitional rates.
- 3. Constitutional corporations:** apart from those covered by 2. above, generally this means proprietary limited companies (Pty Ltd) or similar organisations which are defined as corporations

and would include trusts if the trust operates through a 'pty ltd' company. Before modern awards commenced this group operated under the **NSW Building and Construction Industry (State) Award**, or one of the other NSW building awards such as Plant Operators. See the attached transitional rates.

4. **Sole traders and Partnerships:** as for 2 above if the company was operating prior to 1 January 2011, otherwise this group must pay employees (including apprentices) the full modern award rates,.
5. **Apprentices:** all apprentices worked under the NSW Building and Construction Industry (State) Award until 1 January 2010 because the old National award had no classification for apprentices in NSW. Apprentice rates are now included in the BCGOSA.
6. The modern award does not provide for any difference in wage rates between indentured and trainee apprentices and does not provide for adult apprentices (those who commence their apprenticeship at 21 years of age or older. Adults must receive the national minimum wage until such time as their apprenticeship rate exceeds that minimum. However, there are transitional rates for adult apprentices who had commenced before 1 January 2010.

Having determined your appropriate Group above, go to the relevant appendix for your wage rates. The incorporation of 'metal and engineering on site trades' into the modern award has created numerous new classifications.

To simplify this bulletin we have shown only the trades and labourers rates that apply to the vast majority of specialist building contractors and the most common awards for employers in NSW.. Other rates can be provided upon request, including persons previously covered by the Plant Operators Award..

Also we have provided the most commonly paid award allowances. The allowances do not vary between the different award groups.

Enterprise Agreements

For employers who have an enterprise agreement (properly approved under the current act or previous acts), that agreement remains in force until it is replaced or is cancelled by FWA.

However, if the agreement does not provide wage rates equal to or better than the minimum wages in the relevant award, or, does not provide at least the minimum conditions provided by the National Employment Standards, then the award or the NES over-rides the agreement in regard to the specific rate/conditions prescribed.

For example, the NES provide for 'community service leave' which is not found in most enterprise agreements, but all employees are entitled to that leave.

Irving Warren
Executive Director
BISCO NSW

Appendix 1: Building and Construction General On-site Award 2010

**Appendix 2: National Building and Construction Industry Award 1999 and
NAPSA: NSW Building and Construction Industry (State) Award
transitional rates**

Appendix 3: NSW Building and Construction Industry (State) Award Apprentice Transitional Rates

Appendix 4: Common allowances

Appendix 5: Clerks Private Sector Award - key rates

Appendix 1: Building and Construction General On-site Award 2010

Includes tool (where applicable), industry and special allowances

Classification	Rate \$ per hour	Marker/ Setter out rate *	Special Class rate **
Carpenter &/or Joiner, Stonemason,	20.27	20.86	21.27
Bricklayer	20.06	20.65	21.05
Caster, fixer, plasterer, floor layer specialist	20.14	20.73	21.14
Painter, Glazier, Signwriter	19.70	20.29	
Shop hand (plastering)	19.52		
Quarry worker	19.52		
Labourer (1) Rigger, Dogger	19.52		
Labourer (2) Steel fixer, Tach welder, Concrete finisher	19.00		
Labourer (3) Concrete gang	18.62		
Plasterer's/Terrazzo/Stonemason's Assistant	18.62		
Labourer (4)	18.30		

APPRENTICES

Classification	Year 1 \$ p.h.	Year 2 \$ p.h.	Year 3 \$ p.h.	Year 4 \$ p.h.
Indentured Junior				
Carpenter &/or Joiner, Stonemason,	9.61	11.44	15.09	17.83
Plasterer	9.49	11.31	14.97	17.70
Bricklayer	9.40	11.23	14.88	17.62
Painter	9.06	10.89	14.54	17.28
Indentured Adult				
Carpenter &/or Joiner, Stonemason,	16.30	16.30	16.30	17.83
Plasterer	16.30	16.30	16.30	17.70
Bricklayer	16.30	16.30	16.30	17.62
Painter	16.30	16.30	16.30	17.28

Appendix 2:**National Building and Construction Industry Award 1999
and
NAPSA: NSW Building and Construction Industry (State) Award****TRANSITIONAL RATES**

Includes tool (where applicable), industry and special allowances

Classification	Rate \$ per hour	Marker/ Setter out rate	Special Class rate
Carpenter &/or Joiner, Stonemason,	20.17	20.76	21.27
Bricklayer	19.97	20.51	21.05
Caster, fixer, plasterer, floor layer specialist	20.05	20.63	21.14
Painter, Glazier, Signwriter	19.64	20.22	
Shop hand (plastering)	19.46		
Quarry worker	19.46		
Labourer (1) Rigger, Dogger	19.46		
Labourer (2) Steel fixer, Tack welder, Concrete finisher	18.94		
Labourer (3) Concrete gang	18.56		
Plasterer's/Terrazzo/Stonemason's Assistant	18.56		
Labourer (4)	18.24		

Appendix 3: NSW Building and Construction Industry (State) Award

APPRENTICES

TRANSITIONAL RATES

Includes tool, industry and special allowances

Classification	Year 1 \$ p.h.	Year 2 \$ p.h.	Year 3 \$ p.h.	Year 4 \$ p.h.
Indentured Junior				
Carpenter &/or Joiner, Stonemason.	8.22	10.70	14.01	16.43
Plasterer	8.18	10.64	13.96	16.37
Bricklayer	8.14	10.62	13.93	16.34
Painter	7.99	10.35	13.79	16.21
Indentured Adult				
Carpenter &/or Joiner, Stonemason	13.41	13.55	14.67	16.48
Plasterer	13.41	13.55	14.67	16.42
Bricklayer	13.41	13.56	14.68	16.39
Painter	13.43	13.57	14.69	16.26

Appendix 5: Common allowances

The rates for tool allowance, industry allowance and special allowance have been incorporated into the rates shown in the wage tables. However, there are many other allowances which may apply to some trades and employers should look at the award to determine if any are applicable to their work. The rates for the most common allowances are shown below.

Daily Fares: \$16.50 per day:

Apprentice rates are: 1st year \$12.38; 2nd year \$14.03; 3rd year \$14.85 and 4th year \$15.68

Note daily fares and travel pattern allowance must be paid to employees daily unless the employee is picked up by the employer from the employee's home and returned to his/her home. An employee required to drive a company vehicle or his/her own vehicle to collect other employees is entitled to be paid the allowance.

Transfer between sites: an employee required to transfer from one site to another during the day is entitled to \$0.74 per kilometre.

Meal Allowance: \$13.03. This allowance is payable if an employee works at least one and a half hours overtime after working ordinary time.

Crib Time Payment: An employee who works two hours overtime after completing ordinary hours is entitled to payment for a crib break of 20 minutes. Even if the employee goes home exactly two hours after ordinary time is completed, the employee is entitled to pay for an extra 20 minutes.

Multi Storey Allowance: This allowance is payable on any building being constructed which will be over 5 stories high or being renovated (if the renovations extend over at least two stories and are partly above the 4th storey). Employers who pay above award wages must make clear (in writing) that the above award amount is in part compensation for award allowances, otherwise multi storey and several other allowances are payable.

It does not matter what level the employees are working on, the allowance is paid for the highest level of the building that has been reached!!

Commencement to 15 th floor	0.47 cents p.h.
16 th to 30 th floor	0.56 cents p.h.
31 st to 45 th floor	0.87 cents p.h.
46 th to 60 th floor	\$1.12 p.h.
61 st floor onward	\$1.37 p.h.

First Aid Allowance: \$2.47 per day (minimum qualification)
\$3.91 per day (higher 1st aid qualification)

Leading Hand Allowance

In charge 1 person	\$0.45 p.h.
In charge 2 - 5	\$0.99 p.h.
In charge 6 - 10	\$1.25 p.h.
In charge 10 +	\$1.68 p.h.

Appendix 5 CLERKS PRIVATE SECTOR AWARD 2010 - KEY RATES

Transitional rates are for those companies which, prior to 1st January 2010 were covered by the NSW Clerks (State) Award. Any company or sole trader or partnership which commenced operating after 1/1/2010 must pay the full modern award rate.

The new rates operate from the first full pay period on or after 1 July 2011.

A copy of the award can be found at:

http://www.fwa.gov.au/documents/modern_awards/award/MA000002/

Award classification	Modern Award Rate \$	Transitional Rate \$
Level 1 1 st year	16.49	16.54
2 nd year	17.31	16.74
3 rd year	17.85	16.86
Level 2 1 st year	18.02	17.52
2 nd year	18.39	17.67
Level 3	19.07	18.48
Level 4	20.03	19.54
Level 5	20.84	20.76
JUNIORS rates equivalent to grade 3 or above		
Under 16	8.58	8.58
At 16	9.54	10.08
At 17	11.44	9.54
At 18	13.35	11.81
At 19	15.26	13.50
At 20	17.17	18.78

Casual loading: 22%

Overtime meal allowance \$13.27