

National Inquiry Desk 1300 656 512 National Membership Centre 1300 656 513

# The Advocate Newspaper Editorial Bargaining Agreement

Incorporating the Journalists (Regional Daily Newspapers) Award



## your employment rights at a glance

Updated July 2004

### Application:

This Agreement and Award applies to **all** Alliance members employed as artists, journalists & photographers at the Advocate Newspaper or associated publications (such as supplements).

### Shift Penalties:

If you work a shift which falls within the following spread of hours you receive a shift allowance:-

- If any part of your shift falls between 6.00am and 7.00am or between 6.00pm and 8.30pm you are entitled to **an extra 10%** of your rate for that shift.
- If any part of your shift falls between 8.30pm and 6.00am you are entitled to **an extra 15%** of your rate for that shift.

The shift allowance is paid on your **whole shift**, not just the hours that fall in the penalty period. In addition, if you work a shift(s) where the greater part falls between midnight Friday and midnight Sunday you are entitled to an extra 10% of your rate for that shift. If you are a cadet or Grade 5(b) or below, your shift allowances are based on your rate of pay. For Grades 6 and above you receive the penalties assessed at Grade 5(b).

### Overtime:

#### i) Daily Overtime

Overtime is all time worked outside your normal rostered hours of duty. Overtime is compensated for in one of three ways:-

- For the first hour of overtime your employer may either give you time off in lieu at the rate of time and one half within the following fortnight, or pay you at the rate of time and one half.
- All overtime in excess of one hour is paid at time and one half for the first two hours and double time after that.
- You may agree in writing with your employer to take all overtime as time off in lieu at the rate of single time. All overtime beyond the first hour must be paid for unless you want to take it as time in lieu. The choice is yours.

#### ii) Extra Shift

If you do not get your full days off in a particular week your employer must either give you the extra day(s) off in the next week or pay you double time for the hours you

worked on the extra day(s) with a minimum payment four hours.

#### iii) Insufficient Break

If you recommence work within eleven hours of finishing you must be paid overtime for the time worked before the eleven hours has expired. If you get less than eight hours break you get double time for the hours worked up to the eleven hours. If the break was more than eight hours but less than eleven you get time and one half for each hour worked up to the eleven hour break. Overtime for insufficient break must be paid for. Your employer cannot give you time off in lieu.

### Grading & Promotion:

You **MUST** be employed under one of the gradings defined in the Award.

You are entitled to be reviewed for promotion each year. Your employer must advise you whether you will be reviewed on the anniversary of your appointment of whether everyone on staff will be reviewed on the same date each year. If you are unhappy with the result of the review you can ask that the decision be reviewed in discussion between you and your editor.

### Termination Notice:

If you resign you must give the following notice:

- In the first 26 wks of service – 1 week

After 26 weeks:

- Grades 7 & 8 – 12 weeks
- Grades 4,5 & 6 – 8 weeks
- Grade 3 – 6 weeks
- Grades 1 & 2 – 4 weeks
- Cadets – 2 weeks

If you fail to serve the required notice you may forfeit any wages you are owed. This does not include accrued annual leave or long service leave.

### Annual Leave:

Upon completing 45 weeks and 2 days from the date of commencement of your employment you are entitled to 6 weeks and 3 days annual leave. You are also entitled to a 17.5% loading on that leave. Annual leave must be taken within 4 months of it falling

due, unless both you and your employer agree to postpone it. You must be notified at least one month before the date of your annual leave.

### Public Holidays falling during Leave Period:

If a public holiday falls within a member's annual leave period, then extra time equivalent to the hours for the public holiday (ie 7.6 hours) must be added to the annual leave entitlement, or the member must be paid at double time for the day.

### Meal Allowance:

You are entitled to a meal allowance of **\$14.00** if you work through 2 meal break periods on the one day. A meal break period is defined as:-

Breakfast – 6am to 8am

Lunch – noon to 2pm

Dinner – 6pm to 8pm

### Motor Vehicle Allowance:

If you are required to use your private motor vehicle for work purposes you shall be paid at least the following rates:

Engine Size	Cents / km
Up to 1600cc	42.5
1600-2600cc	46.6
Over 2600cc	52.7

### Casuals:

Casuals shall not work more than 24 hours in any week or 130 days per year except to cover staff on leave or while a position is temporarily vacant.

The casual hourly rate is 1/38 of the weekly rate for the appropriate grade plus 20% loading, with no casual to be lower than a Grade 2(a).

NB: Casuals employed before 1 November 1995 shall not be paid lower than the Grade 2(b) rate.

### Rosters:

The roster must show your starting and finishing time on each day and your rostered days off.

Your roster must be posted at least 2 weeks before the start of the roster period.

Your employer may change the roster at short notice to deal with unforeseen situations that may arise from time to time.

#### Sick Pay:

After 13 weeks employment you are entitled to sick pay as follows:-

- 1st 4 weeks – full pay
- 2nd 4 weeks – half pay
- 3rd 4 weeks – quarter pay

After 5 years continuous employment the periods of leave are doubled to 8 weeks. Your employer may require you to provide a medical certificate.

#### Hours of work:

Ordinary hours of work on any day shall be no less than 4 and no more than 11.

The 38 hour week must be worked as follows:

- 38 hours on 5 days in a 5 day working week.

#### Breaks:

##### (i) Meal Break

You are entitled to take a meal break of 30 minutes after 5 hours work.

##### (ii) Rest Break

You are entitled to a rest break of 10 minutes (counted as time worked) each shift.

##### (iii) 11 hour break

(refer Overtime - insufficient break)

#### Superannuation:

Your employer must pay an amount equivalent to 9% of your pay into JUST Super or an approved company fund. JUST Super is the only fund that is fully portable through journalism. JUST Super is the media industry fund supervised by a board of union and employer trustees. The crediting rate for the financial year to 30 June 2004 was 13.6% after tax and fees. Go to [www.just.com.au](http://www.just.com.au).

#### Time Book:

You are legally obliged to fill in the time book every day. Your employer can only challenge an entry within 24 hours of it being made. After that, your employer must pay for what you have entered.

#### Carer's Leave:

Up to 8 days of sick leave may be used for the care of ill dependents.

#### Regular Part-Time Work:

The weekly rate of pay for regular part-time work is the prorata equivalent of full-time rates, with no part-time employee to be graded at less than a Grade 1(b). Regular part-time workers should work less than 32 ordinary hours per week with a minimum of 4 and a maximum of 11 hours in any one day. You are entitled to pro-rata annual leave, sick leave and other conditions of employment. Part-time hours of work should be agreed to in writing between you and your employer and can only be altered if you both agree. However, the employer may change the way hours are worked with 7 days notice in writing to you, provided the total number of hours worked per week does not change.

#### Parental Leave:

A woman is entitled to 6 weeks paid maternity leave if she has been employed for 3 years or more immediately before she goes on leave.

A woman is also entitled to 12 months unpaid maternity leave. The entitlement to unpaid maternity leave is reduced by the amount of paternity leave taken by a woman's spouse, and vice-versa. Apart from 1 week at the time of the birth, you and your spouse cannot take parental leave at the same time.

On your return to work you are entitled to your old position back. If that position has been abolished you are entitled to a position of comparable status and salary.

#### Cadets:

A cadetship is for training in the basics of journalism or photography. The period of cadetship shall not exceed 3 years for matriculants and 12 months for graduates. As a cadet you are entitled to 4 hours paid leave each week to attend typing and shorthand courses. Your employer must arrange shorthand classes for you in working time.

#### Minimum Rates of Pay (Before Tax):

From 27 July 2004:

Grade	27 <sup>th</sup> July 2004	1 <sup>st</sup> Aug 2004	1 <sup>st</sup> Aug 2005	
		2.75% Increase	3% Increase	
<b>Band 1</b>				
1 (a)	\$664.44	\$682.71	\$703.19	
1 (b)	\$693.06	\$712.12	\$733.48	
2 (a)	\$751.10	\$771.75	\$794.90	
2 (b)	\$808.91	\$831.15	\$856.09	
3	\$837.53	\$860.56	\$886.38	
4	\$895.46	\$920.08	\$947.68	
<b>Band 2</b>				
5 (a)	\$941.61	\$967.51	\$996.53	
5 (b)	\$982.12	\$1,009.12	\$1,039.40	
6	\$1,051.47	\$1,080.38	\$1,112.79	
7	\$1,109.17	\$1,139.67	\$1,173.86	
<b>Band 3</b>				
8	\$1,155.32	\$1,187.10	\$1,222.71	
<b>Cadets</b>				
Year 1	\$431.83	\$443.71	\$457.02	
Year 2	\$531.50	\$546.12	\$562.50	
Year 3	\$598.03	\$614.47	\$632.91	
<b>Sub Editors</b>				
Grade	27 <sup>th</sup> July 2004	1 <sup>st</sup> Aug 2004	27 <sup>th</sup> July 2005	1 <sup>st</sup> Aug 2005
		2.75% Increase	3% Increase	
<b>Band 1</b>				
1 (a)	\$692.04	\$710.31	\$738.71	\$731.59
1 (b)	\$721.66	\$740.72	\$770.22	\$762.98
2 (a)	\$781.70	\$802.35	\$833.85	\$826.40
2 (b)	\$841.51	\$863.75	\$897.35	\$889.69
3	\$871.13	\$894.16	\$928.76	\$920.98
4	\$931.16	\$955.78	\$992.58	\$984.48
<b>Band 2</b>				
5 (a)	\$978.81	\$1,004.71	\$1,043.01	\$1,034.83
5 (b)	\$1,020.72	\$1,047.72	\$1,087.52	\$1,079.20
6	\$1,091.37	\$1,120.28	\$1,162.48	\$1,154.99
7	\$1,150.17	\$1,180.67	\$1,224.97	\$1,218.16
<b>Band 3</b>				
8	\$1,200.02	\$1,231.80	\$1,277.80	\$1,268.71



For further information contact the AJA section of the Alliance:

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