REGISTER OF
ENTERPRISE AGREEMENTS

ENTERPRISE AGREEMENT NO: **EA05/231**

TITLE: Shoalhaven City Council (Electricians) Enterprise Agreement 2004

I.R.C. NO: IRC5/3647

DATE APPROVED/COMMENCEMENT: 21 July 2005 / 27 July 2005

TERM: 29

**NEW AGREEMENT OR
VARIATION:**   New.

GAZETTAL REFERENCE: 9 September 2005

DATE TERMINATED:

NUMBER OF PAGES: 3

**COVERAGE/DESCRIPTION OF
EMPLOYEES:**   The agreement applies to all employees employed by Shoalhaven City Council, with the exception of persons who are designated as "senior staff" pursuant to section 332 of the *Local Government Act* 1993, who fall within the coverage of the Local Government (Electricians) State Award.

PARTIES: Shoalhaven City Council -&- the Electrical Trades Union of Australia, New South Wales Branch

SHOALHAVEN CITY COUNCIL (ELECTRICIANS) ENTERPRISE AGREEMENT 2004

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1. Title

This enterprise agreement shall be known as the 'Shoalhaven City Council (Electricians) Enterprise Agreement 2004'.

2. Intention

It is the intention of the parties to replace the provisions of the Local Government (Electricians) State Award with the provisions of the Local Government (State) Award 2004, except as otherwise provided in this agreement.

3. Incidence

This enterprise agreement shall apply to all employees of Shoalhaven City Council who fall within the scope of Clause 40, Area, Incidence and Duration of the Local Government (Electricians) State Award, with the exception of persons who are designated as 'senior staff' pursuant to section 332 of the *Local Government Act* 1993.

4. Parties Bound By This Agreement

This enterprise agreement is made in accordance with:

(i)   The provisions of sections 32-47 of the *Industrial Relations Act* 1996 ("the Act")

(ii)   The Principles for Approval of Enterprise Agreements 2002 (matter IRC 1782 of 2002) as provided by section 33 (1) of the Act

This enterprise agreement shall apply to and be binding upon the:

(i)   Shoalhaven City Council ("the Council"); and

(ii)   Electrical Trades Union of Australia, New South Wales Branch ("the ETU") on behalf of the employees of the Council who are eligible to be members of the ETU, whether they be members or not

5. Scope of This Agreement

This agreement shall wholly replace the provisions of the Local Government (Electricians) State Award and any variations thereof.

6. Duress

This Agreement was not entered into under any duress by any party to it.

7. Term of Agreement

This Agreement shall take effect from the date of approval by the Industrial Relations Commission of New South Wales and shall remain in place until:

(i)   31 October 2007; or

(ii)   until such time as the Local Government (Electrician's) State Award is consolidated to form part of the Local Government (State) Award at the NSW State level

whichever is the first to occur.

8. Local Government (State) Award 2004 to Substitute the Local Government (Electricians) State Award

Upon approval of this Enterprise Agreement by the Industrial Relations Commission of New South Wales, the following shall occur:

(i)   the provisions of the Local Government (Electricians) State Award (317 IG 519) and any variations thereof shall cease to apply to employees covered by this Agreement, except as otherwise provided by this agreement and;

(ii)   the provisions of the Local Government (State) Award 2004 (made on 19 October 2004 in IRC 901 of 2004), and any variations thereof, shall apply to employees covered by this agreement, except as otherwise provided by this agreement;

(iii)   To the extent that this agreement is inconsistent with the Local Government (State) Award 2004, this agreement shall prevail.

9. Definitions

(i)   Subclauses (i), (ii), (iv), (v), (vi), (vii) and (viii) of clause 4, Definitions, of the Local Government (State) Award 2004 shall apply

(ii)   "Union" means the Electrical Trades Union of Australia, New South Wales Branch

10. Grievance and Disputes Procedures

See clause 30, Grievance and Disputes Procedures, of the Local Government (State) Award 2004

11. Anti- Discrimination

See clause 3, Anti-Discrimination, of the Local Government (State) Award 2004

12(a) Phasing Out of Industry Allowance

The Industry Allowance existing at clause 29 of the Local Government (Electricians) State Award will be phased out during the life of this Enterprise Agreement. Reductions in the Industry Allowance will occur as follows:

(i)   From the first full pay period commencing on or after the making of this agreement the industry allowance shall be reduced from $37.30 to $28.60

(ii)   From the first full pay period commencing on or after 1 November   2005 the industry allowance shall be reduced from $28.60 to $19.90

(iii)   From the first full pay period commencing on or after 1 November 2006 the industry allowance shall be reduced from $19.90 to $11.20 at which time it shall become a 'Disability Allowance', as provided at clause 13(i)(a) of the Local Government (State) Award 2004

12(b) Disability Allowance

Only those staff in the Administrative/Technical Trades Band 2 involved in the electrical trade and designated to perform duties of an outdoor nature will be entitled to this allowance

13. Leave Provisions

Unless otherwise provided in this clause, the leave provisions contained in clause 19, Leave Provisions, of the Local Government (State) Award 2004 shall apply.

14. Signatories

Signed for and on behalf of Shoalhaven City Council:

Signature:_____ Date: 1st July 2005

RD Pigg
General Manager

Witness: _____

Position: _____

Date: 6 July 2005

Signed for and on behalf of the Electrical Trades Union of Australia, New South Wales Branch:

Signature: _____ Date: _____
Secretary

Witness: _____

Position: _____

Date: _____