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Rural Wage Guide 2018/2019

Pastoral Award | Shearing Operations



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Rural Wage Guide 2018/2019

Pastoral Award - Shearing Operations

Welcome to the **Rural Wage Guide 2018/2019**. The Rural Wage Guide is an annual publication released by NSW Farmers (Industrial) Association to inform its members of the current award based wages and pay related conditions. In addition, we have also included general information about National Employment Standards (NES) and imminent changes to the *Pastoral Award 2010* following from Modern Award Review decisions.

The information set out in this wage guide is based on the “shearing operations” section of the *Pastoral Award 2010*, reflecting the 3.5% increase handed down in the 2018 Annual Wage Review Decision.

The rates contained in this wage guide are effective from the first full pay period on or after **1 July 2018**.

Coverage

This publication covers employers and employees engaged in, or in connection with, shearing operations.

Rates of pay for farm hands (broadacre & livestock), dairy, poultry and piggery operations are provided in a separate publication. Please contact the Workplace Relations Department should you require a copy.

How to determine the correct rate of pay for your employees?

1. Determine the underpinning Award.
There are several Awards relevant to primary production. Please refer to the coverage clause provided in each Award to determine whether you are covered by the particular Award. Please contact us for assistance if you are unsure of the underpinning Award for your employees.
2. Determine the relevant classification.
Awards provide different pay rates depending on the classification. Classifications refer to categorisation of roles based on level of responsibilities, experience, expertise and qualification.
3. Match the pay rate with the relevant classification.
4. Check whether there are any relevant loadings, penalties or allowances that may apply in addition to the hourly rate. For example, shift loading, overtime penalty, penalty for work performed on weekends, etc.

Kindly note that this wage guide only summarises parts of the Award that relate to the classifications and payment of wages and it is not an exhaustive document that represents all Award conditions. This guide needs to be read in conjunction with the relevant Award in order to understand all of your obligations as an employer.

Shearers, Crutchers, Woolpressers, Woolclassers & Shed Hands

Due to the seasonal nature of shearing, employees who are engaged to work in the shed other than Woolclassers and Shearing Shed Experts, will be engaged on a casual basis on one (or more) of the following categories: Shearer, Crutcher, Shed hand, Woolpresser; or Shearing cook. Classifications for employees contained in the Modern Award depend on the type of tasks employees are engaged in and their level of experience.

Shearing Rates of Pay – Clause 45.1

Rates for Shearing If Not Found	Per 100 (handpiece provided by employee)	Per 100 by hand
Flock sheep (wethers, ewes and lambs) by machine	\$310.77	\$334.08
Rams (other than special stud rams) and ram stags	\$621.55	\$668.17
Stud ewes and their lambs	\$388.47	\$417.61
Double-fleeced sheep: Flock Sheep	\$414.36	\$445.44
Double-fleeced sheep: Rams	\$828.73	\$890.88
Double-fleeced sheep: Stud ewes and their lambs	\$517.96	\$556.81

Stud combs – any shearers required to provide their own stud combs will be paid 25% addition to the rate of each class of sheep as prescribed above.

Found deductions - \$31.43 per day from the rates prescribed above.

Engagement by the day

Not found employee	\$232.18
Found employee	\$200.75

Learner Shearers – Clause 44.4 (b)

A learner will mean a shearer or intending shearer who has not yet shorn five thousand (5,000) sheep. A learner must produce to their employer or intended employer a written record showing the number of sheep they have shorn containing specific information outlined in the Award.

Learner shearers are to be paid at the shearers' rate, with a minimum guarantee equivalent to the minimum rate to the relevant adult shed hand rate plus the combs and cutters allowance of \$20.81 per week.

Crutching Rates of Pay – Clause 45.2

	Flock sheep		Stud ewes and their lambs (1.25x of flock sheep rate)	
	At Sheds (per 100)	Other Than At Sheds (per 100)	At Sheds (per 100)	Other Than At Sheds (per 100)
Full crutching	\$90.12	\$77.69	\$112.65	\$97.12
All other crutching	\$71.48	\$62.15	\$89.35	\$77.69
For wiggling or ringing	\$34.18	\$34.18	\$42.73	\$42.73
For either wiggling or ringing in addition to crutching	\$9.32	\$9.32	\$11.65	\$11.65
For wiggling and ringing	\$55.94	\$55.94	\$69.93	\$69.93
For wiggling and ringing in addition to crutching—crutching rate plus	\$15.54	\$15.54	\$19.43	\$19.43
For cleaning the belly of any ewe above the teats (no more than two blows of the machine or shears)—crutching rates plus	\$7.77	\$7.77	\$9.71	\$9.71
All other crutching plus wiggling	\$80.80	\$71.47	\$101.00	\$89.34
All other crutching plus ringing	\$80.80	\$71.47	\$101.00	\$89.34
All other crutching plus wiggling and ringing	\$87.02	\$77.69	\$108.78	\$97.11
Full crutch plus wiggling	\$99.44	\$87.01	\$124.30	\$108.77
Full crutch plus ringing	\$99.44	\$87.01	\$124.30	\$108.77
Full crutch plus wiggling and ringing	\$105.66	\$93.23	\$132.08	\$116.54

Crutching of rams and ram stags – double the rates prescribed for flock sheep.

An allowance of \$10.03 per day shall be paid for the lack of amenities when crutching is performed other than at shed.

Shed Hands Rates of Pay – Clause 45.3

A shed hand or woolpresser-shed hand may be required to work as a generally useful hand in or about the shearing shed either during crutching or shearing or when crutching or shearing is not taking place. The total rates, incorporating allowances and loadings, for shed hands and generally useful hands at the shearing or crutching shall be:

Experience	Amount
With 65 work days or more experience	\$58.70 per run
With less than 65 work days experience	\$55.79 per run
Under 18 years:	
With 65 work days or more experience as a shed hand	\$41.09 per run
With less than 65 work days experience as a shed hand	\$39.05 per run
18 – 20 years:	
With 65 work days or more experience as a shed hand	\$52.83 per run
With less than 65 work days experience as a shed hand	\$50.21 per run

Found Employees Deduction

The deduction for an employee engaged on a 'found' basis shall be \$31.43 per day.

Woolpressers Rates of Pay – Clause 45.4

Piecework Rates

For pressing:	Per Bale	Per Kilo
By hand	\$18.71	\$0.1228
By power	\$12.47	\$0.0818

Weighing and branding bales - \$0.41 per bale extra.

Timework Rates

Allowances	Per run
Timework rate	\$62.10

Note: The employee will need to be paid at least the per-run rate.

If the total sum which the woolpresser would receive under the rates specified in the piecework rates "above" or "on the previous page", amounts to less than \$62.10 per run multiplied by the number of runs that a time work employee would have been paid for, the employer will pay the difference to the employee.

Conditions specific to Shed Hands or Woolpresser-shed hands

Payment Guarantee – Clause 44.1b (i)

On any day on which employees attend for work, they are guaranteed a minimum daily payment of two (2) runs. However, on the day of cut-out (completion of shearing or crutching) where work continues beyond normal lunch break, then payment will be for four (4) runs.

Wet Weather – Clause 44.1b (iii)

If an employee is advised on a preceding day (or 24 hours notice) that they will not be required to attend for work because of wet weather, a minimum payment of two (2) runs per day will not apply.

Voted Wet – Clause 44.1b (ii)

If sheep are voted wet before the commencement of the first or second run, employees will **be paid for two (2) runs**. If sheep are voted wet at the commencement of the third or fourth run, employees will be paid for all completed runs on that day together with the run due to commence.

Shearing Cooks – Clause 45.5

The minimum rates to be paid to employees for acting as a shearing cook will be \$19.55 per day per found employee for every person excepting themselves for whom the employee cooks. But if the total amount which the shearing cook would receive under this clause amounts to less than \$254.13 per day per found employee, for the work after paying the necessary offsidiers, the employer will pay the deficiency to the employee. A shearing cook engaged for a half day will be paid 50% of the rate per day per found employee for every person for whom the employee cooks.

Woolclassers and Shearing shed experts Rate of pay - Clause 45.8

Classification	Rate per week
Shearing shed expert level 1	\$1,185.80
Shearing shed expert level 2	\$1,317.55
Woolclasser level 1	\$1,317.55
Woolclasser level 2	\$1,421.40
Woolclasser level 3	\$1,488.95

Woolclassers' Piecework rate

\$355.35 per 1,000 sheep and/or lambs, or \$710.70 per 1,000 rams and/or ram stags' wool.

If the piecework earnings from woolclassing over the whole of the employment fall short of the relevant weekly amount for the same period, the employer will pay the Woolclasser the rate set out above.

Ordinary Hours - Clause 48

The ordinary hours of work for shearers and crutchers will be 38 hours per week, Monday to Friday. The hours will not exceed eight (8) per day and will be worked in two hour groupings called runs.

The run times are Monday to Friday and are as follows:

- 7.30am to 9.30am
- 10.00 am to 12.00pm
- 1.00pm to 3.00pm
- 3.30pm to 5.30pm

Note: There may be special circumstance where employees may be required to work more than eight hours per day or to work on weekends. Please refer to the Pastoral Award 2010, or for further information call the Workplace Relations team on 1300 794 000.

Special allowances (other than for Woolclassers and Shearing Shed experts)

Clause	Description	Amount
46.1	Sleeping quarters allowance when it is not provided (per night).	\$50.51
46.2	Where the total travel time to and from the sleeping quarters and the shed exceeds one hour per day, the employee will be paid this allowance per hour for all time in excess for such hour.	\$16.67
46.3a	Travel allowance when the employee is required to travel more than 65 km from the employee's home to the shed (per day).	\$14.99
46.3b	A per km vehicle allowance is payable to the employee for use of their own vehicle to travel to and from the shed by the most direct practicable route. Important – these two allowances do NOT apply when the employer offers the employee suitable accommodation at the shed and the employee chooses not to use it.	\$0.78
46.5	Breakdown of machinery – allowance for delays and termination of agreements (per day):	\$181.92 for not found employees \$150.49 for found employees

Special Allowances for Woolclassers

Clause	Description	Amount
	Fares and travelling allowances for expeditionary employees –	
47.1(a)	<ul style="list-style-type: none"> A per km vehicle allowance is payable to the employee for use of their own vehicle to travel to and from the shed by the most direct practicable route. 	\$0.78
47.1(f)	<ul style="list-style-type: none"> An allowance paid per day to the employee for all expenses incurred (other than fares) while the employee is actually proceeding to and from the place of employment. 	\$72.08 per day
47.1(g)	<ul style="list-style-type: none"> Such allowance will be calculated per hour from the time of departure of the employee from the place of engagement or from the permanent residence until the employee arrives at the place of employment. 	\$3.00 per hour
47.2	Where two sheds are situated on the same holding and are the property of the same owner, the Woolclasser will be paid an allowance for any delay between the cut out of the one shed and the starting of work in the other. Should, however, properties intervene, such sheds must not be considered as sheds on the same holding, and no allowance will be payable (per day).	1/10th of the appropriate weekly pay rate prescribed for the relevant classification for woolclassers and shearing shed expert
47.3	In the event of the employer failing to start shearing on the day fixed by the contract the employer will, provided the Woolclasser is ready to start on the day fixed, pay the employee for the time kept idle, unless the failure to start is caused by wet weather or other unforeseen causes such as fire, flood, earthquake or any other act of God (per day).	1/10th of the appropriate weekly pay rate prescribed for the relevant classification for woolclassers and shearing shed expert

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Likely Changes to the Award in 2018/2019

Family and Domestic Violence Leave

In March 2018, the Fair Work Commission provisionally ruled that a model domestic violence leave clause should be inserted into 119 of the 122 modern awards in Australia, including agricultural related awards. The following elements of the proposed leave entitlement are likely to be introduced into the awards during 2018, subject to any changes in the interim:

- Definition of Family and Domestic Violence Leave - leave for violent, threatening or other abusive behaviour by a family member of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful. The definition of "family member" closely resembles the current term used to decide entitlements to compassionate leave.
- All employees, including casuals will receive 5 days of unpaid domestic violence leave upfront at the commencement of each 12 month period (as opposed to accruing progressively throughout the year).
- The entitlement will not accrue from year to year, meaning that it will extinguish at the end of the year if not used.
- Casual and part-time employees will also receive a full 5 days per 12 month period.
- There will be no requirement to take paid leave before accessing this unpaid entitlement.
- Evidence requested by an employer must be able to satisfy a reasonable person that the leave is taken for the correct purpose. This might be a document issued by the police service, a court or a family violence support service, or a statutory declaration
- Information concerning any notice given or evidence provided for the purposes of leave must be treated confidentially, as far as it is reasonably practicable to do so.

Family Friendly Working Arrangements

Also in March 2018, the Fair Work Commission determined that that a model family friendly working arrangements clause should be inserted in Modern Awards. The provision is intended to expand the currently available scope and process for flexible working arrangements set out in the National Employment Standards (NES). In brief, the provision is likely to include the following elements:

- Permanent and casual employees with at least 6 months' service will become eligible to request a change in working arrangements relating to parental or caring responsibilities.
- An employer will be required to respond to a request within 21 days, meet with an employee and attempt to reach a genuine agreement to reasonably accommodate the employee's circumstances before refusing a request.

Annualised Salaries

The Fair Work Commission is currently considering the introduction of an Annualised Salaries clause that would allow an employer and an employee to enter into a written agreement for the employee to be paid an annual salary in satisfaction of numerous otherwise applicable award conditions, such as allowances, overtime and loadings. Any agreement must not disadvantage the employee compared to the Award conditions. Specifics of the proposed clause are still being considered.

At present, employers can adopt annualised salary arrangements to remunerate their award covered employees through a properly drafted Individual Flexibility Agreement.

Casual Conversion

In order to give effect to a Fair Work Commission decision, the Commission has developed a draft model casual conversion provision for 85 modern awards which do not currently contain a provision of this nature. The agricultural awards do not currently contain such a provision. As a result, the agricultural awards will soon see provisions featuring the following elements included in them:

- the ability for casual employees to request they be engaged as part time or full time employees once they have completed a qualifying period of 12 calendar months;
- a qualifying criterion that the casual employee has over the qualifying period worked a pattern of hours on an ongoing basis which, without significant adjustment, could continue to be performed in accordance with the full-time or part-time employment provisions of the relevant award;
- the employer must provide all casual employees (whether they become eligible for conversion or not) with a copy of the casual conversion clause within the first 12 months after their initial engagement; and
- a conversion may be refused on the grounds that it would require a significant adjustment to the casual employee's hours of work to accommodate them in full-time or part-time employment in accordance with the terms of the applicable modern award, or it is known or reasonably foreseeable that the casual employee's position will cease to exist, or the employee's hours of work will significantly change or be reduced within the next 12 months, or on other reasonable grounds based on facts which are known or reasonably foreseeable.

The date for the commencement of these provisions is not yet known.

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National Employment Standards (NES)

There are 10 minimum terms and conditions of employment prescribed as a safety net by the *Fair Work Act 2009*. They are briefly outlined below:

1. A maximum standard working week of 38 hours for full-time employees, plus 'reasonable' additional hours.
2. A right to request flexible working arrangements for eligible employees.
3. Parental and adoption leave of 12 months (unpaid), with a right to request an additional 12 months for eligible employees. There are distinct rules when both partners of the couple can take leave.
4. 20 days of paid annual leave that accrues progressively and accumulates from year to year. Part-time employees accrue annual leave on a pro-rata basis. Casual employees are not entitled to paid annual leave.

Employees covered by the *Pastoral Award* are entitled to 17.5% annual leave loading. The *Pastoral Award* also provides the ability for employers to direct employees to take annual leave when they have accrued an excessive amount.

5. 10 days of paid personal/carer's leave that accrues progressively and accumulates from year to year. Part-time employees accrue annual leave on a pro-rata basis. Casual employees are not entitled to paid personal/carer's leave. In addition, the NES also provide 2 days of paid compassionate leave for each permissible occasion and two days unpaid carer's leave for each permissible occasion.
6. Community service leave for jury service or activities dealing with certain emergencies or natural disasters. This leave is unpaid, except for jury service, where employers are obliged to make up the pay of employees on jury service (between what the employee receives as stipend for serving jury duty and the employee's ordinary rate of pay), up to a maximum of 10 days.
7. Long service leave. In NSW long service leave is governed by the *Long Service Leave Act 1955* and it provides for 2 months (8.667 weeks) for 10 years of service. There may be an obligation to pay pro-rata long service leave upon cessation of employment for employees who have worked for more than 5 years but less than 10 years.
8. The entitlement to be absent on public holidays without loss of ordinary pay.
9. Notice of termination (depending on period of service) and redundancy pay (not applicable for small business employers).
10. The right for new employees to receive the Fair Work Information Statement, which is a 2 page document produced by the Fair Work Ombudsman outlining the NES and other workplace rights.

Public holidays for 2018/2019

The NES prescribes for full-time and part-time employees to receive a day off work without loss of pay on any given public holiday gazetted in NSW. Employees that are not required to attend work on a public holiday are to receive payment for their ordinary hours at their base rate of pay. Employers that require employees to work on a public holiday must pay the employee a penalty rate in accordance with their relevant industrial instrument (i.e. modern Award) for the hours worked. Employers can require employees to attend work on a public holiday for operational reasons of the business. On the other hand, employees can refuse to work on a public holiday for personal reasons and circumstances.

Refer to the below table for the prescribed public holidays declared in NSW for 2018 and 2019. Additional public holidays declared in NSW may apply. Check with NSW Farmers (Industrial) Association for further information and pay rates:

Public holiday	2018	2019
New Year's Day	Monday, 1 January	Tuesday, 1 January
Australia Day*	Friday, 26 January	Monday, 28 January
Good Friday	Friday, 30 March	Friday, 19 April
Easter Saturday	Saturday, 31 March	Saturday, 20 April
Easter Sunday	Sunday, 1 April	Sunday, 21 April
Easter Monday	Monday, 2 April	Monday, 22 April
Anzac Day	Wednesday, 25 April	Thursday, 25 April
Queen's Birthday	Monday, 11 June	Monday, 10 June
Bank Holiday#	Monday, 6 August	Monday, 5 August
Labour Day	Monday, 1 October	Monday, 7 October
Christmas Day	Tuesday, 25 December	Wednesday, 25 December
Boxing Day	Wednesday, 26 December	Thursday, 26 December

* From 31/12/11 when Australia Day (26 January) falls on a Saturday or Sunday, there will be no public holiday on that day as the following Monday will be declared a public holiday.

Applies to banks and certain financial institutions see *Retail Trading Act 2008*.

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