# OFFICIAL JOURNAL OF THE SHOP, DISTRIBUTIVE AND ALLIED EMPLOYEES' ASSOCIATION, TASMANIAN BRANCH SUMMER 2022

# For a <u>Really</u> Happy Festive Season...

# A REALEW YEAR'S DAY A PUBLIC HOLIDAY IN TAS





A PUBLIC HOLIDAY IN TAS

Northern Delegates endorsing the SDA's campaign to make New Year's Day a public holiday in Tasmania



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WAREHOUSING.

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Melissa Read Southern Area Organiser



Carol Webb Southern Fast Food Recruitment Officer



Laura Zakelj Part-Time Recruitment Officer and Administration Assistant

# CELEBRATING TH AND LOOKING FO

As the end of 2022 is upon us, we reflect upon a year where Covid and the devastating effects of the recent Tasmanian floods have affected the lives of many SDA members and their families.

The promise of 2023 brings, for many of us, the hope of a better year for us and our families. However, while many in our community will be able to see in the New Year and farewell the old, many of our members will not.

#### **PUBLIC HOLIDAY INJUSTICE**

In 2023, New Year's Day is not a public holiday for Tasmanians working on 1 January.

While New Year's Day falls on a Sunday in 2023 and there is a substitute public holiday on Monday 2 January, every other Australian State or Territory has both New Year's Day and the additional Monday as public holidays.

Under Tasmania's Statutory Holidays Act 2000, when Christmas Day falls on a Sunday, this day is a public holiday. There is also an additional public holiday on the following Monday.

It makes no logical sense that this exception applies to Christmas Day but not to New Year's Day!

I once again wrote to Minister Elise Archer, calling on the State Government to bring public holiday justice to our members on New Year's Day.

The Minister paid lip service to the work SDA members did during the pandemic, however, went on to say that the State Government had no plan to review and amend the Act to provide public holiday parity for Tasmanian workers on New Year's Day.

On behalf of SDA members of the Tasmanian Branch, myself and our team of dedicated Delegates and Officials are committed to fighting for public holiday justice in Tasmania (see our *Make New Year's Day a Public Holiday* campaign on pages 6-7).

This campaign will remain ongoing in our push for legislation that respects family time for us and our families in Tasmania.

# E SUCCESSES OF 2022 RWARD TO A BRIGHT 2023

2022

#### SDA WINS IN 2022 AND A BRIGHT 2023 AHEAD

Despite the big fight ahead for public holiday justice in Tasmania, 2022 saw many victories for our members.

In 2022, SDA members and Delegates fought for and won:

- a strong pay rise campaign that delivered a decent increase in wages on time on 1 July;
- 10 days' paid family and domestic violence leave;
- improved paid parental leave;
- underpayment claims made against McDonald's;
- increased superannuation from 1 July;
- many safety issues resolved;
- solving hundreds of individual members' issues on rosters, hours of work and underpayments.

Many of these victories have been ably assisted by the election of the Federal Labor Government in May 2022.

Transitioning from a Government that had slow wage growth as a deliberate design of its policy

## LOADING...

platform to a Government that famously said it 'absolutely' supported a decent wage rise in the Fair Work Commission's Annual Wage Review Decision has laid the platform for positive legislative change for our working lives.

Most recently, the Federal Labor Government passed into law its *Secure Jobs, Better Pay* Bill. Into 2023, this law will look to get wages moving, going a long way to repairing a broken bargaining system, seeking to close the gender pay gap and moving towards greater job security, amongst many other measures (see pages 4-5 for more information).

As the New Year begins, we continue to face many challenges in fighting for work that is safe, work that respects family time, and work that provides a decent living for you and your families. With the strength of our members and a strong Delegate network, these are challenges we are committed to fighting together.

#### THANK YOU – AND HAVE A great festive season

To all members, we send a huge thank you for the amazing work you do.

2023

You have served us – and continue to serve us – through so many challenges that our industries and communities face.

It's been an honour serving you in 2022 and I look forward to continuing to fight for you in 2023. On behalf of State Council and the staff of the Branch, I wish all members and their families a very Happy Christmas and safe New Year.

Have a great festive season with your loved ones.

I look forward to seeing you in the New Year!

Joel Tynan, General Secretary

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# **WHAT'S HAPPENING IN YOUR WORK**



#### BY JOEL TYNAN, GENERAL SECRETARY

#### **BIG WINS FOR MEMBERS IN 2022**

In 2022, the SDA has managed some big wins for members, with new Enterprise Agreements recently voted up overwhelmingly for members in Target and EG Fuel. Thank you to SDA members who voted and had their say.

#### Target Agreement

96% of Target team members who voted, voted yes on their proposed Agreement.

This is a great result for Target employees, and will help secure superior conditions over the next few years.

The Agreement will commence seven days after it receives approval from the Fair Work Commission (FWC).

Target employees who were employed before the last day of the vote will be receiving the upfront payment that the SDA secured during negotiations.

The payment for full-time employees (pro-rata for part-time, casuals and juniors) was due on 19 December 2022.

#### EG Fuel Agreement

Of the eligible employees that submitted a vote, 88% voted in favour of the proposed EG Fuel Agreement.

This is a great result for EG Fuel employees and will help secure superior conditions over the next few years.

The Agreement will commence from 30 January 2023 and will operate until it nominally expires on 31 January 2026.

Once the Agreement is approved by the Fair Work Commission, it will provide EG Fuel workers with certainty about pay and conditions going forward.

#### **SECURE JOBS BETTER PAY**

As mentioned in my editorial, the Federal Labor Government has passed into Law its *Secure Jobs Better Pay* Bill.

The Fair Work Legislation Amendment (Secure Jobs, Better Pay) Bill 2022 is the first major piece of industrial relations reform by the newly-elected Albanese Labor Government, ending nine years of attacks on working conditions by the previous Government.

The Bill, as passed on 2 December 2022, makes several positive changes to the Fair Work Act including:

In October and November, we held Delegates Conferences around the State, where our New Year's Day campaign was discussed, and Delegates were trained in skills to equip them in dealing with workplace issues and growing the Union. Thanks go to all our Delegates for their enthusiastic support and their great work in 2022.

- Strengthening laws on equal pay, tackling sexual harassment and discrimination at work.
- Beginning to tackle insecure work by limiting the use of fixed-term contracts.
- Making bargaining more accessible with a smoother bargaining initiation process for many EBAs.
- Dealing with termination of agreements and 'sunsetting' zombie agreements.
- Beginning to strengthen compliance by lifting the cap on small claims

Previously, if an employer refused a request for flexible working arrangements on 'reasonable business grounds', there was no ability for a worker to challenge or appeal this decision.

The Bill amends the Fair Work Act to require employers to genuinely try to reach agreement at the workplace level with employees who request flexible working arrangements, including by having discussions with an employee, and making efforts to identify alternative arrangements when an employee's request cannot be accommodated.

The Bill empowers the FWC to resolve disputes regarding flexible work.

#### 2023 – A BIG YEAR AHEAD FOR BARGAINING

Assisted by the changes brought about by the new legislation, the SDA has initiated the bargaining process with many of your companies.

# PLACE

The bargaining process has begun in Woolworths, Coles, Coles Liquor, Dan Murphy's, Harris Scarfe, Best & Less and the Reject shop, to name a few, for new Enterprise Agreements.

This is a positive step towards securing improvements to your pay and conditions over the next few years.

The SDA is committed to a thorough bargaining process and the first step will be surveying all SDA members at your workplaces where bargaining has commenced.

We will be seeking your views on the workplace issues that matter to you and engaging SDA Delegates across Tasmania.

Enterprise bargaining is well advanced within Big W, with positive progress made for Tasmanian Big W members.

Additionally, in Best & Less, Organisers have been out in your stores conducting surveys to hear what you want in a new EBA as we engage the company in bargaining.

#### **CONTACT US!**

If you have questions about how you may be affected by any of the above or where enterprise bargaining is up to in your company, please contact the SDA on 1300 152 851 to answer your query.

# \* \* \* \* SDA TASMANIAN BRANCH FOOTY FOPFICA 2023 AFL SEASON

You could win great prizes just by being part of the fun of the SDA's footy tipping comp.

Our top tipster each week will win a double movie pass and the glory of their name being published in each edition of *TasTalk*.

The overall winner at the end of the Season will receive two tickets to a 2023 Preliminary Final\* including airfares and accommodation.

Registrations open in March 2023. Simply go to **sdatas.asn.au** and click on the 'Footy Tipping Competition' link to sign up!



# MAKE NEW YEAR'S DAY A PUBLIC



#### BY JOEL TYNAN, GENERAL SECRETARY

The SDA Tasmanian Branch is campaigning for New Year's Day to be made a public holiday in the State.

Currently, Tasmania is the only State or Territory where 1 January 2023 will not be a public holiday - meaning many Tasmanian SDA members will be left worse off on New Year's Day, compared to their colleagues from all other parts of the country. During the pandemic, Tasmanian SDA members and Delegates were essential workers. You served us in supermarkets and department stores, at the petrol pumps, and in logistics.

You were there every day, on the front line and behind the scenes, serving our community.

The effect of not having 1 January as a public holiday means that many Tasmanian SDA members who are rostered to work on New Year's Day will not have the voluntary right to refuse work on that day, or the reasonable right to request the day off. Many Tasmanian SDA members will not be able to see out New Year's Eve 2022 as they will be required to work the next day. Many in our community, including our families and friends, will amble into supermarkets, fast food stores or to the petrol pump on 1 January and be served by Tasmanian SDA members, who will not be adequately compensated for their service on what should be a public holiday.

Many Tasmanian members will not get paid public holiday penalties for work on the day.



Delegates and members from the North West Coast supporting the SDA's 'Make New Year's Day a Public Holiday in Tas' campaign.

# HOLIDAY!

Many Tasmanian members will be up to \$150 worse off than their mainland counterparts, purely because of the State they work in.

With cost of living going through the roof, this is a further slap in the face for SDA Tasmanian members and other essential workers.

Tasmania has antiguated public holiday laws due to the Rockliff Government's unwillingness to act and amend the legislation.

The Rockliff Government pays lip service to the work our members did in serving us through the pandemic, and its failure to act treats Tasmanian SDA members as second-class citizens in our community, and in our country. Once again, the SDA calls on Workplace Relations Minister Archer and the Rockliff Government to bring Tasmania's essential workers into line with the rest of the country by making New Year's Day a public holiday in Tasmania.

We call on the State Liberal Government to give Tasmanian SDA members and Delegates the chance to be compensated properly for missing time with their families during the holiday season, and to give them the option of being able to celebrate New Year's Day like the bulk of the workforce. For more information, or if you have

questions about how you may be affected on 1 January, please contact the SDA on 1300 152 851.

#### TAKE OUR SURVEY AND JOIN OUR CAMPAIGN!

Have your say on this important issue, so we've got plenty of data to present

to the Government to help our argument. Just scan this QR code and follow the prompts.



## **MAKE NEW YEAR'S DAY** A PUBLIC HOLIDAY IN TAS





General Secretary Joel Tynan with Federal Labor Senator Helen Polley, SDA member Tameka Hall, State Labor Member for Franklin Dean Winter and State Labor Member for Bass Janie Finlay supporting the SDA's campaign to 'Make New Year's Day a public holiday in Tas'.



'Make New Year's Day a Public Holiday in Tas' as presented in the Mercury.

# islation 'out of date'

## Union's New Year's resolution for holiday

TASMANIA is the only state where New Year's Day won't in 2023, the 2023, the country's big rivate sector trade union and it's demanding the period shop, Distributive and uched a campaign to nuary 1 made a statu-

the reasonable right to uest the day off," SDA state retary Joel Tynan said. "Many of our mart not get paid public holiday penalties for work on the day "Many of our be up to \$150 w their mainland rse off than

With cost of living going through the roof, this is a fur-ther slap in the face to our members and other essential

members and other essential workers. "Many of our members will not be able to see out 2022 as they will be required to work the next day." Tasmania's Statutory Holi-

Attorney-General Elise Archer said public holidays were "days of another holidays

Next year's New Year Day falls on Sunday, I Januar 2023, so the statutory holida will be observed on Monday. will be observed on Monday, a fanuary 2023," she said. But Mr Tynan said the egislation was "antiquated" and needed to be amended. legislation was and needed to be "Give our o

join the SDA Tas, paign for better p ers the

NEWS 03

up to Christmas



## 2023 TASMANIAN PUBLIC HOLIDAYS

EVENT		2023 DATE		
New Year's Day Holiday	As New Year's Day falls on a Sunday in 2023, the Monday following is the public holiday.	Monday 2 January		
Australia Day		Thursday 26 January		
Royal Hobart Regatta	The second secon			
Eight Hours Day	Second Monday in March	Monday 13 March		
Good Friday		Friday 7 April		
Easter Monday		Monday 10 April		
Easter Tuesday	Restricted public holiday, currently observed by certain Awards/Agreements and the State public service.	Tuesday 11 April		
Anzac Day		Tuesday 25 April		
King's Birthday	Second Monday in June each year.	Monday 12 June		
Burnie Show Day	Friday before first Saturday in October each year. (Municipal areas of Burnie, Waratah-Wynyard and West Coast.)	Friday 6 October		
Royal Launceston Show Day	Thursday before the second Saturday in October. (Municipal areas of Break O'Day, Dorset, George Town, Launceston, Meander Valley, Northern Midlands, West Tamar.)	Thursday 12 October		
Hobart Show Day	Thursday before the fourth Saturday in October. (All of Tasmania south of and including Oatlands and Swansea also Bronte Park, Strathgordon, Tarreleah and Wayatinah - excludes West Coast.)	Thursday 26 October		
Recreation Day	First Monday in November. (All parts of Tasmania which do not observe Royal Hobart Regatta.)	Monday 6 November		
Devonport Show Day	Friday nearest the last day in November but not later than 1 December. (Municipal areas of Devonport, Kentish and Latrobe.)	Friday 1 December		
Christmas Day		Monday 25 Decembe		
Boxing Day		Tuesday 26 Decembe		

# **EVERYONE DESERVES A SMILE!**



BY JODEE INCHES, SOUTHERN AREA ORGANISER

The SDA's *No One Deserves a Serve* campaign continued its momentum in 2022.

The SDA stands committed to ensuring that bad behaviour directed at our members is not accepted in any form.

We face the same challenges as last year as we enter into our 2022 New Year shopping season, with the usual frazzled customers and a new wave of Covid arriving.

It should not be the responsibility of our members to police those entering stores.

We ask you to 'Report it, don't support it' by reporting all instances of abuse.

If the customer has left the store, you can still report the behaviour. We are seeing an increase in authorities prosecuting or charging those who do display these unwelcome and unacceptable

behaviours and being held accountable for their actions. We continue to show the way to reduce customer abuse with:

- clear signage;
- zero tolerance;
- training of staff and managers;
- public awareness; and
- customers seeing retail workers for the family and community members that they are.

The SDA's *No One Deserves a Serve* campaign has proven to be working to change customers' attitudes, but there is always more to be done.

You will see this important message again this festive season around your shopping centres, on public transport and in the media.

This Summer, we remind shoppers: if the line is long or you can't find what you're looking for, keep your cool, and remember that essential retail workers are people too! No one deserves a serve, but everyone deserves a smile.



## **On social** media this Summer? Be nice. Not naughty.

While you're lazing around and checking in with your friends this Summer, remember to be careful what you say on Facebook, Instagram and other social media.

Comments on social media (including other people's posts or pages) are regarded as public comments – they are **not** private. Avoid negative comments about your company, your manager or other employees on social media. Some members have come to us after "official warnings" or worse following unwise comments on social media. It's best not to mention your employer at all.

Be smart. When you're at home, leave your work at work. Enjoy your social media for your social life, not your work life.



# WINNING FOR SDA MEMBERS IN 2022



#### BY CAROL WADLEY, INDUSTRIAL SUPPORT AND WOMEN'S OFFICER

In what was another historically significant year – where major national and international events had a tangible impact on the lives of Australians – the SDA and our members were able to continue the pursuit of better working conditions for retail, warehouse, and fast food workers.



Following almost two years of investigations into exploitation and Award contraventions across the fast food chain, the SDA lodged a mega Federal Court Claim against 323 McDonald's operators – and the fast food giant itself – over the alleged denial of paid rest breaks at nearly 1,000 current and former McDonald's sites.

The latest claim in August 2022 was in conjunction with the SDA's 15 existing Federal Court claims against McDonald's Australia and 14 franchisees.

The SDA has alleged that not only were McDonald's workers not informed of their rest break entitlements, they were also told breaks could be exchanged for a free soft drink or a trip to the toilet! The SDA is seeking thousands of dollars in compensation for individuals who did not receive their legal break entitlements, and is asking the Court to award penalties against the 400 employers who have operated McDonald's sites in the past six years.

The SDA is seeking \$250 million (as a conservative estimate) in total compensation, plus penalties for over 250,000 current and former McDonald's employees.

The claim is one of the biggest of its kind in Australian history, with over 1.8% of working Australians captured by it.

In April 2022, the SDA also commenced a nationwide investigation into McDonald's managers' conditions of work, in particular claims of wage theft and breaks denial.

Over 10,000 workers have already directly involved themselves in the SDA's investigations.



Thanks to the union movement, workers accross the country, including thousands of SDA members received important increases to their take-home pay and compulsory super contributions. Winning a fair and decent pay rise at the Annual Wage Review was a priority for the SDA and critical in helping alleviate cost of living pressures on SDA members.

#### Wages

On 1 July, Award pay rates increased by \$40 (full-time adult rate) or 4.6% – whichever is the greater.

For Level 1 retail and fast food employees covered by Awards, the \$40 equals a 4.7% increase or +\$1.05 per hour.

SDA members covered by Enterprise Agreements linked to the Annual Wage Review decision saw a corresponding increase in their wages.

#### Superannuation Increases

Australians employed under an Award or an Enterprise Agreement saw a 0.5% increase in employer superannuation contributions from 1 July this year, with employer superannuation contributions increasing from 10% to 10.5%. Superannuation contributions are set to further increase to 12% by 2025.

Along with this increase, the unfair \$450 superannuation threshold was also removed.

This means that if you are 18 years old or above – even if you earn less than \$450 per month – you are entitled to receive an employer superannuation contribution.



The SDA welcomed the Albanese Government's decision to introduce 10 days' paid family and domestic violence leave. The SDA and the union movement have campaigned tirelessly on this issue for over a decade and are pleased to see it become a universal right enshrined in the National Employment Standards (NES).

#### UP TO \$10 MILLION IN BACKPAY FOR ALDI DC WORKERS

The SDA won a Federal Court case against ALDI for underpayments of members working in ALDI Distribution Centres across Australia.

ALDI DC workers stand to share in around \$10 million in underpayments being returned to them.

ALDI required employees in their Distribution Centres to clock-on prior to their rostered start time to undertake what ALDI described as, "pre-work" duties, but refused to pay employees for this time. You must be paid for all time worked – and the SDA demanded members be paid for doing any "pre-work duties".

A process to calculate individual backpay amounts for SDA members will be worked through. The SDA is also seeking penalties from ALDI for its breaches of the Fair Work Act. The Federal Court is yet to determine the penalties applicable.

## **IMPROVEMENTS TO PAID PARENTAL LEAVE**

Currently, the government-funded paid parental leave scheme provides up to 18 weeks of paid parental leave for the primary carer, and two weeks of paid parental leave for the secondary carer.

The new Federal Labor Government announced plans as part of the October budget to phase in an improved scheme from 2023 to 2026.

From 1 July 2023, 20 weeks of paid parental leave will be available to be divided between the parents of the child in whatever way suits them best. However, the entitlement must be used up by the time the child turns two years old. The amount of paid parental leave increases until it reaches 26 weeks.

The increases are as follows:

July 2023	20 weeks
July 2024	22 weeks
July 2025	24 weeks
July 2026	26 weeks

The SDA has been campaigning for improvements in paid parental leave and welcomes the change.

However, we would like to see the scheme matched with superannuation payments for the period of paid parental leave, and we will continue to campaign for the superannuation contributions to be paid as well.







(member for 22 years) at Woolworths Claremont.

Congratulations go to Mandy O'Rourke from Kmart Burnie who is retiring after 39 years in the retail industry. sda 



Kelbassa at Target Mowbray.



SDA member Abbey Jones and SDA Delegate Donna Murray at Kmart Burnie with some gifts purchased for age groups that normally miss out including teenagers and young adults. The SDA was very happy to contribute to the Kmart Wishing Tree Appeal and well done to Abbey and Donna in helping with this very worthy cause!



SDA Delegate Julie Gillam, member for 23 years and Jacqueline Butler, member for 24 years, at Spotlight Burnie.



and Linda Smith at Coles Glebe Hill.



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# ARDUND THE SHOPS

Janelle Kelly has been a member of the SDA for more than 35 years at Becks Devonport. Thank you for your loyalty. It's members like you that keep the SDA strong.

Delegates Fiona Smith and Tania McCall, along with SDA North-East Area Organiser Andrew Coyle, congratulate retiring SDA after 32 years' service with Coles Kings Meadows. We wish you all the very best in your retirement!

SDA General Secretary Joel Tynan congratulates Delegate Tameka Hall from Woolworths Mowbray who has signed over 40 new members to the Union in her store since August! Thank you, Tameka. It's members and Delegates like you that helps the SDA be strong in the workplace.

Speci

SDA Delegate Pru White and SDA member Alyssa Cooper from Target Launceston at their 15 year service celebration.



Jenaya Cannon, Hannah Splillane Wall and Phoebe Kelbassa at Target Mowbray.



Long-time SDA member Amanda Papworth with her favourite customer at Spotlight Launceston.



For the past 27 years, see that shift at commuted from Claremont to start her shift at Coles Sandy Bay, and was this week recognized as one of Australia's top Coles employees, and the best in Tasmania!

Sue says she like likes to 'keep things simple' with good old fashioned customer service.

"That's what it's all about. Treat them like family, treat them just like friends and they treat me like friends".



SDA member Sue Webber has been voted Coles Tasmania's top employee for this year. Congratulations and well done, Sue – everyone's very proud of you!

sda**tas**talk



# You could win a \$200 Coles or Woolworths Gift Card!

It's an expensive time of year, so let us help you out with a \$200 Coles or Woolworths gift card!

#### To enter...

Simply e-mail us at **membership@sdatas.asn.au** by **27 January 2023** with the subject line "Gift Card".

Make sure you include your full name, SDA membership number, home address, contact phone number and employer/location in the body of your e-mail so we know who you are!



### No internet access? No problem!

Just phone us on 1300 152 851 and we'll enter you into the competition.



## Sue's in for a tasty Summer!

Congratulations go to Sue Perkins from Coles Kings Meadows who is the lucky winner of a Weber Q2000 BBQ from our Spring competition. Sue is pictured with SDA Delegate Tania McCall (centre) and her son Zac.

# Grievance Procedures are here to help you



#### BY MELISSA READ, SOUTHERN AREA ORGANISER

Every Enterprise Agreement negotiated by the SDA contains a grievance procedure. A grievance procedure is a process that enables issues or problems to be worked through and resolved.

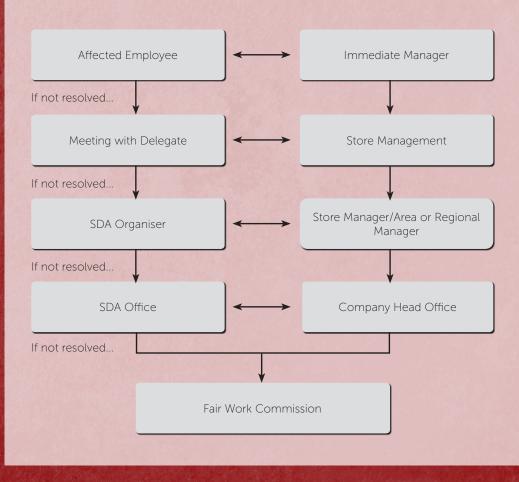
If matters ever arise at your workplace, it's important that you're aware of your company's procedures. The SDA is an important link in the grievance procedure, working for our members to help resolve any issues or problems that may arise. The more quickly a matter can be satisfactorily resolved for a member, the better it is for everyone. Make sure you familiarise yourself with your employer's procedure, and if you have any questions, don't hesistate to contact the SDA.

## **A Typical Process**

Below is an outline of a typical grievance procedure:

- Contact your immediate manager to identify the issue.
- If the problem cannot be satisfactorily resolved at this level, you should then raise it with the store manager. You may request that your workplace Delegate attends with you. A Union Organiser may also become involved if the workplace Delegate requires further assistance.
- If the issue is still not resolved, the store manager must refer it to the area or regional manager, and at this stage the Union Organiser will become involved if they have not yet done so.
- If the issue is still not resolved, it may be taken to the head office level of the company, or filed for dispute before the Fair Work Commission.

Remember: At all times you can – and should – seek the advice and direction of your workplace Delegate, Organiser or the Union office.



# SAFETY STORIES



BY SEAN PUDNEY, NORTH-WEST AREA ORGANISER Safety is core Union business, and the SDA endeavours to ensure that all retail, warehouse and fast food workers are provided with a safe workplace, free from physical and psychological hazards.

Here are some examples of safety concerns, big and small, raised by members that were addressed and resolved with the help of the SDA.

Your safety at work is paramount and should never be overlooked by businesses in their pursuit to make a profit.

All workers should record and report any safety issues at work. If you are concerned about an existing or potential hazard in your workplace, get in touch with the SDA.



#### CLICK AND COLLECT

The 'Click n Collect' area at a Coles was dark and dangerous. Despite the many requests from both Coles and the SDA to address this hazard, the property managers were reluctant to do anything.

Without any results, the SDA Organiser responsible for the store in question advised the store's property manager that the next step would be to involve WorkCover.

A light bulb went off – and the light bulbs went up – that day!



#### HEAT AND VENTILATION ISSUES

Members at a small jewellery retailer contacted the SDA in relation to a heat and ventilation issue they were facing courtesy of a faulty air conditioning system.

In the hottest period of the year, staff were suffering heat exhaustion due to a lack of air circulation and high temperatures exacerbated by the heat radiating from the shiny surfaces of the jewellery.

This issue was raised by staff on numerous occasions, both verbally and in writing.

Centre management believed the responsibility fell with the business, while the business believed the responsibility fell under centre management's control.

Staff were not getting any results, so they contacted the Union.

The Union quickly determined whose responsibility it was to replace the faulty air conditioning.

Our members confirmed that, due to the Union's follow up action, the faulty system was replaced entirely and working conditions had improved significantly.



#### TYRE SLASHING IN THE WORKPLACE CARPARK

After a spate of tyre slashing, members

voiced their concerns around not feeling safe when they entered and exited their store after dark via the side door.

The door was in a dimly lit location, in an area where people liked to frequently hang out.

Members were also anxious about the amount of damage being done to their cars.

Feeling as though they were not getting anywhere on this issue, they consulted the Union.

A petition was created by the SDA for team members to sign and present to management.

As a result, security lighting and CCTV were installed at the site.



#### STORE CLOSURE DUE TO MOULD INFESTATION

A Bunnings temporarily ceased operations due

to a mould infestation at the store.

The Union was first advised of this widespread mould infestation when staff started reporting that they were feeling ill, taking time off, having breathing difficulties and using puffers to manage asthma.

With Bunnings seeming to have no sense of urgency to take appropriate steps to resolve the matter, the SDA attended the site and took further measures to have the store and mould infestation properly assessed.

The store was eventually closed for over a month while the appropriate action was taken to clean the site and ensure it was safe for workers to return.





FAST FOOD HEALTH CASE

suffered a workplace injury while conducting his duties at a major fast food restaurant.

The member had been instructed to use nonapproved cleaning materials, which resulted in a red rash and skin cracking, with the area becoming itchy.

Although the member initially reported the injury to his manager, it was not recorded.

After taking three weeks of annual leave to cover the already extended absence while he recovered, he discussed the injury with a hiring manager, who reported to corporate head office to intervene.

The company informed him verbally that the materials and failure to provide appropriate personal protective equipment (PPE) had resulted in a dermatitis-like injury – yet he continued to wait and wait for any outcome regarding a claim for the injuries.

At this stage, the Union stepped in and referred the matter to lawyers to follow up. It was established that the company accepted liability, however, was yet to pay medical expenses or reimburse the leave used because of this injury.

The company finally agreed to reimburse all leave and medical expenses to a total of \$13,657.20. Rhiannon Devine and Cloe Ion

Rhiannon Devine and Cloe Io at KFC Sorell





Kate Harris at Hungry Suc Glenorchy



Tracey Ellis, Cathy Kenneay and Hayden Goldsmith at KFC Claremont





Jane Smith, Adam Jeffrey and Debbie Franks at BWS Claremont





Maggie Coulson and Amy Ferguson at The Reject Shop Claremont

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# **WORKING IN THE HEAT**



BY ANDREW COYLE, North-East Area Organiser

During the summer months, many SDA members may be faced with having to work in very hot environments.

The majority of problems that occur are related to a build-up of heat, that has the potential to increase the temperature of a building or other area.

#### **HEALTH AND SAFETY EFFECTS**

Heat and uncomfortable temperatures can have different effects on different people. Working in hot conditions may result in health effects, ranging from mild discomfort and headaches to lifethreatening problems.

The type of work being undertaken, humidity, air temperature, sun penetration, clothing and air movement should always be taken into account when considering the health and safety risks associated with heat. The more serious health affects of heat stress are:

- reduced ability to concentrate causing more risk of accidents;
- increased discomfort in using protective clothing and equipment;
- aggravation of pre-existing illnesses, e.g. heart disease;
- heat cramps (painful spasms in one or more muscles);
- heat exhaustion characterised by weakness and fatigue, vomiting, headaches and giddiness as well as unconsciousness and, in some cases, death.

Working in hot conditions not only affects a person's physical health but can also affect a person's mental state, and often contributes to stress levels.

#### WHAT CAN BE DONE?

Your employer has a duty of care to provide you with a workplace that is safe and healthy, particularly in extreme conditions.

Heat risks must be identified, assessed and controlled within the workplace when they can affect the health and safety of employees. Your employer must ensure that your workplace has:

- adequate ventilation and air movement, and
- appropriate special work and rest breaks set in hot conditions that are tailored to the physical needs of each employee exposed to heat.

Issues relating to heat in the workplace, particularly over the summer months, must be addressed immediately and resolved effectively.

If you find yourself working in an uncomfortably hot situation, follow the grievance procedure contained in your Enterprise Agreement or Award.

If you don't get a solution, contact the SDA.

#### **CONTACT YOUR UNION**

For more information about heat or working in uncomfortable temperatures, please speak to your Delegate or Organiser or contact the SDA.

# THINGS TO CONSIDER BEFORE MAKING A WORKCOVER CLAIM

When you have been injured at work, you need to remember that WorkCover claims can help you secure the medical treatment and financial assistance you need.

#### WHAT TO CONSIDER WHEN MAKING A WORKCOVER CLAIM

It's illegal for your employer to tell you NOT to make a WorkCover claim.

Provide as many details of your workplace injury as you can. When you inform your GP of your workplace injury, they'll take a history and note what happened to you. It's crucial to provide your doctor with accurate details of the incident, even if those details seem unimportant at the time.

If there are any issues about the cause of your injury at a later date, your GP may need to know exactly how the work injury happened. If you need any time off work, you should also ask your doctor for a WorkCover certificate, also known as a certificate of capacity.

KEEP OUT

#### A WORKCOVER CLAIM WON'T WORK AGAINST YOU

Some injured employees feel guilty or anxious about making a WorkCover claim. They worry that taking action will give them a bad reputation, cause their employer to reduce their work hours, or cost them their jobs. If your employer is discriminating against you in such a way, remember that the law can assist you.

The fact is that if you've suffered an injury at work, you're entitled to make a workers compensation claim.

Taking the time to rest, heal and receive medical treatment on your doctor's advice is likely to be better for you in the long run.

#### YOUR EMPLOYER IS INSURED FOR WORKPLACE INJURY

We spend a lot of time at work, so a lot of injuries occur in the workplace. As a result, the law requires employers to have WorkCover insurance.

This is a no-fault scheme, so in making a workers compensation

claim, you're not saying your employer is to blame; you're simply saying that you've been injured at or from work and you need time off or cover for medical expenses to recover, or both.

Again, your employer's insurance covers these requirements – it doesn't come out of your employer's pocket.

#### **GIVE THE SDA A CALL**

If you suffer an injury at work, seek advice from the SDA at the earliest opportunity.

It's best to seek advice even if WorkCover accepts your claim, because you may be entitled to other rights or substantial compensation.

Whatever WorkCover's assessment of your claim, give the SDA a call to find out whether you're entitled to anything else. It costs nothing to find out where you stand.

Article courtesy of Maurice Blackburn Lawyers.





Tell any manager or insurance company representative that they are **not entitled to attend**. Contact the SDA if you need any help.

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**KEEP OUT** 

**KEEP OUT** 

## There's still time to apply



Don't forget to put in your application for \$120 to help you with your education supplies.

Applications are open until 27 January 2023 – so make sure you don't miss out!

#### How to apply

Go to **sdatas.asn.au**, hover over the 'Members Area' drop down menu and select 'Educational Scholarships' **by Friday 27 January 2023**.

If you're not already registered on the website, you'll need to complete the 'New User Registration' section.

Make sure you fill in ALL the details, in particular your SDA membership number. You can apply once only.

#### No internet? No problem!

Just call us on 1300 152 851 and we'll help you to apply!

## UNION WIN ON APPLE 'NO' VOTE CAMPAIGN

In early August 2022, Apple issued its first version of a new proposed Enterprise Agreement, without prior consultation with Apple workers or Unions.

While the SDA supported the making of a new Agreement to replace the current Agreement, which had expired more than four years ago, we had serious concerns about the new proposed Agreement including:

- Below-inflation wage increases over the life of the Agreement
- No guarantee of wage increases for workers on above Agreement wages
- No guarantee of regular rosters
- No guarantee of 2 consecutive days off work per week (or 3 in a fortnight)
- Reducing overnight penalties by 25% and 75%
- Flat classification structure that does not adequately reflect or reward the duties and responsibilities of Apple workers
- No study leave for Apple retail workers
- Higher duties allowance is inferior to the Award (General Industry Retail Award)

We put out a survey to gauge what was important to Apple workers.

The feedback from the survey found that better roster provisions to ensure a healthier work-life balance, improved leave provisions, fairer wage increases and allowances were among the top priorities for Apple workers.

Bargaining meetings took place where we participated with Apple, the ASU and other bargaining representatives between August and October to advocate for improvements to the working conditions of Apple workers. We were extremely disappointed with the way Apple conducted its bargaining meetings.

Late meeting agendas, multiple drafts of the new proposed Agreement and a lack of proper responses from Apple to the Union's log of claims prompted the SDA to lodge good faith bargaining orders against Apple in the Fair Work Commission on two separate occasions throughout the bargaining process. Both Applications were successful, and Apple was forced to partake in further bargaining meetings to conduct genuine consultations with relevant bargaining representatives including the SDA. More then ten bargaining meetings were held to discuss improvements to the proposed Agreement.

Nonetheless, Apple did not provide many concessions to the proposed Agreement, and the majority of the 63 claims put forward by the SDA were rejected with limited to no adequate reasoning. In the end, the proposed Agreement remained unsatisfactory in many aspects. Prior to the voting period opening in late October, we ran a "Vote No" campaign asking Apple workers to vote 'no' to the proposed Agreement.

The SDA "Vote No" campaign was successful, and the Agreement was voted down with 68% of voters saying 'no' to Apple's proposal.

We hope our campaign has sent a clear message to Apple that their employees will push for their rights at work with the support of their Union, and that Apple must design a fair Agreement for their workers.

Apple workers deserve better and they know it.

## BLACK DAYS FOR Amazon Workers

The 'Make Amazon Pay' campaign is a global initiative organised by Uni Global Union and supported by unions around the world, including the SDA.

Every year, on 'Black Friday', unions rally together to protest the poor working conditions and exploitation Amazon workers are subject to in the company's relentless pursuit of profit and growth. 2022 Black Friday was on 25 November this year.

Black Friday is often one of the busiest periods of the year. Already poor working conditions are made worse as Amazon employees experience heightened pressure to fulfill orders. Amazon workers in Australia have reported feeling like robots, trying to meet unreasonable demands and often forgoing their break entitlements to keep up with the workload. The issues don't end there though – during the year, the SDA successfully represented a woman from Sydney who had a job offer from Amazon withdrawn because she was pregnant.

The SDA and the Amazon worker were able to reach a settlement with the company, but the Union was disappointed it had to intervene at all.

Bernie Smith, Secretary of the SDA's NSW Branch offered his thoughts: "While we are very happy with the financial

global



settlement, the SDA is disappointed that the

case needed to be brought at all, and this case shows there remains a long way to go in recognising employee rights at Amazon."

The SDA and the Transport Workers Union (TWU) formed the Online Retail & Delivery Workers Alliance to further efforts to ensure that Amazon workers are protected from the 'Americanisation' of their workplaces.

From the day Amazon opened their first warehouse in Australia, the SDA and the TWU have worked to enforce and lift safety standards on sites.

The SDA has even taken legal action to stand up for workers who have faced discrimination at work.

The SDA and the TWU will continue to represent and protect Amazon workers in Australia across every step of the supply chain.

### DID YOU KNOW?

Amazon's wealth increased so much over the pandemic that the owners could afford to pay every single employee (all 1.3million of them) a \$690k covid bonus and still be as rich as they were at the start of 2020!





### **UNLOCK SAVINGS WITH YOUR SDA TAS MEMBERSHIP**

Enjoy year-round access to everyday savings and exclusive offers through your SDA Rewards Membership. Discover nearby offers through the mobile site or search for incredible savings across dining, takeaway, activities, shopping, travel and more. It's your passport for saving on everything you love to do!

### **EXPLORE YOUR DEALS!**

- 1. Login to your SDA Membership online sdatas.asn.au
- 2. Select Frequent Values icon







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Enjoy exclusive savings at a huge range of restaurants and cafes in your local area and all around Australia and New Zealand.



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Up to 30% off at over 2,000 hotels, resorts and holiday apartments.

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### **HOW TO REDEEM OFFERS USING YOUR PHONE**

Please present your smartphone to redeem your offers. Visit **sdatas.asn.au**.



FIND AN OFFER Search for nearby deals or by business name, suburb, cuisine or category.



**SELECT YOUR OFFER** Tap "Ready to Redeem' on your smartphone.



**PRESENT YOUR OFFER** Show staff the offer on your smartphone when you are ready to pay.

## 20% OFF (UP TO \$25)



**RIVER ARMS HOTEL** 20% off the total bill. Save up to \$25.

## 10% OFF EGIFT CARD





**THE SUPER EGIFT CARD** 10% off The Super eGift Cards.



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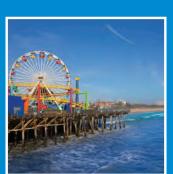






Offers correct at time of printing. For the latest listing, terms and conditions and offer details, please refer to the SDA website.









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## **The No Interest Loan Scheme**

NILS is the clever choice for getting a new fridge or laptop, having your car repaired and more!

You only pay back what you borrow. No fees, no charges, no interest. Nothing extra. The NILS concept was developed by Good Shepherd and operates across Australia. Their community lending started in Tasmania in 2002, when the NILS (No Interest Loans) Network of Tasmania Inc. was first established.

NILS loans are accessed through a wide range of community access points provided by their 76 Delivery Partners and over 350 volunteers across Tasmania.

#### How is NILS different?

- NILS provides efficient loan delivery and systems to provide a real alternative to exploitative lending.
- They work towards Tasmanians gaining financial confidence through accessing and repaying their loans.
- They maintain and enhance the community access points of our network to provide true community connected lending.
- NILS is a strong and respected advocate for fair and equitable lending for lowincome Tasmanians.

## nilstasmania.org.au Ph: 1300 301 650

For more information, visit the NILS website,

phone NILS, or scan this QR code!



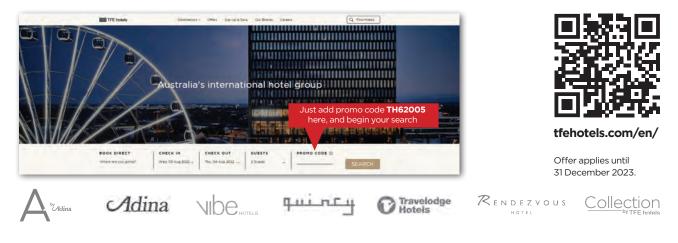


- 🛛 no interest
- ono fees or charges
- on credit checks
- on worries

## SDA MEMBERS GET 15% OFF AT TFE hotels

TFE Hotels, headquartered in Australia, currently comprises 70 hotels in Australia and New Zealand under seven brands. And now, SDA members can receive special prices when booking at TFE Hotels in Australia or New Zealand, including A by Adina, Adina Hotels, Vibe Hotels, Quincy, Travelodge Hotels, Rendezvous, and Collection by TFE Hotels (The Calile, The Savoy, and Hotel Kurrajong).

To receive your 15% discount on the best available room rates, simply key **TH62005** into the promo code field on the TFE Hotels website – just scan the QR code or go to **tfehotels.com/en**.





As an SDA member, you'll get an additional benefit of 10% off Europcar's best rate of the day. Wherever you are, whatever your rental needs, Europcar can provide a solution for you. They have over 120 locations and one of the largest and most diverse fleets in Australia. To book the SDA member rate, quote promotional code **47699503**. For reservations:

go to europcar.com.au/partners/sda or

<mark>\_\_</mark> phone **1300 555 242** or

simply scan the QR code below

\*Terms and conditions apply.



## **SCO** TASMANIA MOVE TICKETS

Financial members of the SDA can go to the movies at discounted prices by purchasing tickets through the Union!

**TICKETS** are available for Village Cinemas throughout Tasmania, plus Metro Cinemas (Burnie).

**TO ORDER...** Go to **sdatas.asn.au**, hover over the 'Members Area' drop-down menu and select 'Purchase Movie Tickets'. If you're not already registered on the website, you'll need to complete the 'New User Registration' section.

**DELIVERY...** Your tickets will be mailed to you by registered post.

**NO INTERNET ACCESS? NO WORRIES!** Just call us on 1300 152 851 with your credit card details to order.



## SPECIAL RATES FOR SDA MEMBERS AT THE **Reverse State Reverse State Reverse State Second S**

The Rendezvous Hotel Melbourne is one of the few historic grand hotels remaining in Australia and has just gone through a major refurbishment.

#### SPECIAL RATES FOR SDA MEMBERS

- Commerce Room (room only): \$175 per night
- Commerce Room (room and buffet breakfast for one): \$195 per night
- Perkins Room (room only): \$200 per night
- Perkins Room (room and buffet breakfast for one): \$220 per night

Complimentary internet access, use of the gymnasium, and the 24-hour professional business centre are included.

#### TO BOOK

Telephone	138 642
Email	reservations.melbourne@rendezvoushotels.com
	meet.melbourne@rendezvoushotels.com
IG	rendezvousmelbourne
FB	RendezvousHotelMelbourne

When you book, make sure you mention that you are an SDA member.

Offer valid from I January 2023 to 30 December 2023. Conditions apply. Offer excludes block out and special events dates.



RENDEZVOUS HOTEL Methourne

328 Flinders St, Melbourne Vic 3000 W rendezvoushotels.com T (03) 9250 1888 IG rendezvousmelbourne FB RendezvousHotelMelbourne

# SDA MEMBERS CAN GET GREAT RATES AT CLARION SUITES GATEWAY

Clarion Suites Gateway is located at 1 William Street, in Melbourne's CBD, opposite the Southbank and Southgate Precincts, with easy access to the city centre for shopping, sporting facilities, theatre, arts and attractions.



As a member of the SDA, you're able to take advantage of these special rates:

- Studio Room from \$205 per night
- One Bedroom Suite from \$225 per night

And for \$20 you can upgrade your room to one of our Riverviews, with views over the Yarra River and the world's largest casino fire show extravaganza!

- Plus, you get...
- Complimentary sweet on arrival
- Complimentary drink voucher
- Complimentary wi-fi (up to five devices) 🛛 Discounted car parking \$20 per day

### FOR RESERVATIONS

To receive the special SDA rates, please quote "I am an SDA member".

- Phone: (03) 9296 8888 or toll free 1800 351 288
- Email: res@clarionsuitesgateway.com.au
- Website: www.clarionsuitesgateway.com.au



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#### GENERAL RETAIL INDUSTRY AWARD 2010 FROM 1 JULY 2022

EFFECTI	<b>GE RATES</b>			C	)rdinary Hoi	irs			
	MINIMUM WAGE RATES		Ordinary Hours						4
			7am to Monday	•	1	<sup>-</sup> 6pm to Friday		o 6pm Irday	
1 JULY 2022				-			Saturday		
DOES <b>NOT</b> APPLY TO WOOLWORTHS, COLES, MYER, TARGET, COUNTRY ROAD, ROCKMANS, BIG W,			Hourly Full-time			y Rate	i	y Rate	17 50/
PETROL PLUS, KMART, HARRIS SCARFE, JUST JEANS,			and	Casual loading	Full-time and	Casual loading of	Full-time and	Casual loading	17.5% annual
OFFICEWORKS, K&D WAREHOUS BUNNINGS HARDWARE, MILLE			part-time	of 25%	part-time	50%	part-time	of 50%	leave
PRICELINE AND PRICE ATTAC	CK, WATTYL PAINTS	38 HOUR	up to 38		loading		loading		loading
SPOTLIGHT AND FAST FC LAST WAGE INCREASE \$40.0		WEEKLY RATE	hours a		of 25%		of 25%		on four
EARNING UP TO \$869.6			week						weeks'
SUNDAY RATES NORMAL RATE + 95% (195%) FROM 1 JULY 2017 NORMAL RATE + 80% (180%) FROM 1 JULY 2018 NORMAL RATE + 65% (165%) FROM 1 JULY 2019 NORMAL RATE + 50% (150%) FROM 1 JULY 2020									leave
RETAIL EMPLOYEE		\$	Ş	\$	\$	Ş	\$	\$	\$
Level 1		Ŷ	Ŷ	Ŷ		Ŷ	Ŷ	Ŷ	, ,
Shop Assistant, Checkout Op	erator. Trolley								
Collector, Video Hire Worker,									
Assistant		888.50	23.38	29.23	29.23	35.07	29.23	35.07	621.90
Level 2									
Forklift Operator		908.80	23.92	29.90	29.90	35.85	29.90	35.85	636.16
Level 3									
Dept Mngr 2IC, Corsetiere, Snr LPO, Cook		922.90	24.29	30.36	30.36	36.44	30.36	36.44	646.03
	Level 4								
Trades Qualified (e.g. Butcher, Baker), Clerical Officer Level 2, Shiftworker/Nightfill Supervisor									
		940.90	24.76	30.95	30.95	37.14	30.95	37.14	658.63
	Level 5								
	Tradesperson in charge of other Tradespersons, Services Supervisor (more than 15 employees)		25.78	32.23	32.23	38.67	32.23	38.67	685.72
Level 6		979.60	23.70	52.25	52.25	50.07	52.25	50.07	005.72
Section/Dept Manager (5+ er	mployees								
including self), Clerical Office									
Assistant/Deputy/2IC Shop N	Иngr	993.80	26.15	32.69	32.69	39.23	32.69	39.23	695.66
Level 7									
Visual Merchandiser, Clerical	l Officer Level 4	1,043.60	27.46	34.33	34.33	41.19	34.33	41.19	730.52
Level 8		1 000 00	20 50	05 70	05 70	42.07	25 72	40.07	700.00
Shop Manager, Clerical Office	er Level 5	1,086.00	28.58	35.73	35.73	42.87	35.73	42.87	760.20
JUNIOR RATES									
-	of weekly rate of								
pay Under 16 years of age 45	V	399.83	10.52	13.15	13.15	15.78	13.15	15.78	279.88
Onder 16 years of age4516 years of age50		399.83 444.25	10.52 11.69	13.15	13.15	15.78 17.54	13.15 14.61	15.78 17.54	310.98
17 years of age 60		444.25 533.10	11.69 14.03	14.61	14.61	17.54 21.05	14.61 17.54	21.05	373.17
18 years of age 70		621.95	14.03 16.37	20.46	20.46	21.05	20.46	21.05	435.37
19 years of age 80		710.80	18.71	23.39	23.39	24.50	23.39	24.50	497.56
	) (from 1 July 2015, after	, 10.00	10.71	20.00		20.07	23.35	20.07	
six n	nonths' employment n employer)	888.50	23.38	29.23	29.23	35.07	29.23	35.07	621.90
APPRENTICES									
Apprenticeship Year % o	of Level 4								
1st Year 50		470.45	12.38						
2nd Year 60		564.54	14.86						
3rd Year 80		752.72	19.81						
4th Year 90		846.81	22.28						

#### **SDA MEMBERSHIP APPLICATION FORM** Date of Birth: Surname: **Given Names: Postal Address:** Suburb: Postcode: Phone Numbers: Mobile: Home ( ) E-mail Address: Employer: **Employer Location:** Occupation: Type of Employment Full-time (20 hours or more per week) Part-time (10-20 hours per week) Casual (less than 10 hours per week) Are you a student? Yes No How many hours a week do you expect to work? I hereby agree to become a member of the Shop, Distributive and Allied Employees' Association, Tasmanian Branch. I pledge myself to comply with the rules of the Association, and with any amendments or additions which may be duly made to such rules. Signature: Date: / / AUTHORITY TO DEDUCT UNION FEES FROM WAGES Name: Employer: I authorise my employer to deduct from my wages the contribution prescribed by Rule 6 of the Shop, Distributive and Allied Employees' Association Tasmanian Branch, the fees prescribed by the rules as varied from time to time. Such deduction shall be paid to the aforementioned Association on behalf of the undersigned member as Union Subscriptions. Signature: Date: / / Z **SDA CHANGE OF ADDRESS/EMPLOYMENT FORM** PREVIOUS Surname: Member No: **Given Names: Postal Address:** Suburb: Postcode: Employer: **Employer Location:** CURRENT Surname: Member No: **Given Names: Postal Address:** Suburb: Postcode: Employer: **Employer Location:**

#### PLEASE RETURN COMPLETED FORM TO: JOEL TYNAN, GENERAL SECRETARY, SDA, PO BOX 1289, LAUNCESTON TAS 7250



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