

MULTICULTURAL NSW TELEPHONE INTERPRETERS

Remuneration and Conditions of employment

DETERMINATION 2017

SECTION 52 (1) DETERMINATION NO 1 - 2017

1. PURPOSE

1.1. INTENT

The Industrial Relations Secretary has determined pursuant to section s52(1) of the *Government Sector Employment Act 2013 (GSE Act)*, fixing the employment conditions and remuneration rates for Telephone Interpreters employed on a casual basis in Multicultural NSW.

- 1.1. The introduction of new technology has provided opportunity for telephone interpreting services to be undertaken on an optional basis through the use of self-selection for each assignment. Due to the nature of this type of work, it can result in the need to provide immediate or pre-booked interpreting services for short periods of time to external clients.

1.2. APPLICATION

This determination is the Multicultural NSW Telephone Interpreters Remuneration and Conditions of Employment Determination 2017 (**Determination**)

1.3. DURATION

It shall take effect on and from 1 September 2017 and shall remain in effect until 30 June 2019 (**Term**).

1.4. COVERAGE

The Determination provides the employment conditions, remuneration and allowances for all employees of the New South Wales Government employed in Multicultural NSW (**Employer**), who are employed in the classification as prescribed in Clause 4 of this Determination (**Employees**).

This Determination does not cover employees employed in roles under the *Crown Employees (Interpreters and Translators, Multicultural NSW) Award*.

All employees under this Determination will be employed on a casual basis.

2. CONDITIONS OF EMPLOYMENT

- 2.1. Employees shall be employed on a casual basis for each assignment to perform the duties for a telephone interpreting services for Multicultural NSW.

- 2.2. Telephone interpreting services assignments will be ad-hoc and intermittent throughout the day or night.
- 2.3. Telephone Interpreter must hold a suitable qualification with NAATI accreditation or equivalent accreditation authority. It is the responsibility of the employee to ensure that the accreditation is current and has not expired.
- 2.4. A telephone interpreter will be engaged on a casual basis for each assignment.

3. SERVICE TYPE

There are two types of services provided for telephone interpreting being On-Demand or Pre-Booked services.

- 3.1. **On-Demand Telephone Interpreting** is where the telephone interpreting service is required immediately.
- 3.2. **Pre-Booked Telephone Interpreting** is where the telephone interpreting service is booked by a client in advance for a specific date and time.

4. CLASSIFICATION

All employees employed under this determination are employed in a new classification as a casual telephone interpreter.

An employee shall be engaged and paid the appropriate rate as defined in clause 9 of this Determination based on the following classification:

- 4.1. Recognised Practising Interpreter; or
- 4.2. Certified Provisional Interpreter; or
- 4.3. Certified Professional Interpreter

This classification is based on the relevant NAATI certifications or equivalent.

5. CANCELLATION ARRANGEMENTS

- 5.1. Where a telephone interpreter has been pre-booked for an assignment and the assignment is cancelled within 24 hours before the commencement time, the employee shall be paid the standard rate of pay for the first 30 minutes of the assignment.
- 5.2. Clause 5.1 above does not apply if the interpreter is offered another assignment, at the same commencement time.
- 5.3. If the telephone interpreter does not accept the assignment referred to in Clauses 5.1 and Clause 5.2 then the employee shall not receive any payment for services.

6. HOURS OF WORK

- 6.1. Standard Hours of work Monday to Friday between 7.30 a.m. to 6.00 p.m. and will be paid the in accordance with Clause 9.3 of this Determination.
- 6.2. Non-Standard Hours of work are performed outside the standard hours of 7.30 a.m. to 6.00 p.m. Monday to Friday shall be paid in accordance with Clause 9.4 of this Determination.
- 6.3. Telephone Interpreters shall not work more than 8 hours, counted as time worked in any calendar day.
- 6.4. The standard and non-standard hours of work is a maximum of 38 hours per week, which may be averaged over a period of 12 weeks

7. LEAVE FOR CASUAL EMPLOYEES

- 7.1. A casual employee is entitled to unpaid personal leave if they need to care for a family member. Personal Leave to Care for a Family Member care and support, due to an unexpected emergency, or the birth of a child. This entitlement is subject to the evidentiary requirements and/or the notice requirements of the requirement of care.
- 7.2. The Agency Head (or delegate) and the casual employee shall agree on the period for which the employee will be entitled to not be available to attend work. In the absence of agreement, the employee is entitled to not be available to attend work for up to 48 hours (i.e. two days) per occasion. The casual employee is not entitled to any payment for the period of non-attendance.
- 7.3. The Agency Head (or delegate) must not fail to re-engage a casual employee because the employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not to engage a casual employee are otherwise not affected.
- 7.4. The casual employee shall, if required;
 - 7.4.1. Establish either by production of a medical certificate or statutory declaration, the illness of the person concerned and that the illness is such as to require care by another person; or
 - 7.4.2. Establish by production of documentation acceptable to the employer or a statutory declaration, the nature of the emergency and that such emergency resulted in the person concerned requiring care by the employee.
 - 7.4.3. In normal circumstances, a casual employee must not take carer's leave under this subclause where another person had taken leave to care for the same person.
- 7.5. The casual employee must, as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence, inform the employer of their inability to attend for duty. If it is not reasonably practicable to inform the employer during the ordinary hours of the first day or shift of such absence, the employee will inform the employer within 24 hours of the absence.

8. BEREAVEMENT ENTITLEMENTS

- 8.1. Casual employees are entitled to not be available to attend work, or to leave work upon the death in Australia of a family member on production of satisfactory evidence (if required by the employer).
- 8.2. The Agency Head or (delegate) and the casual employee shall agree on the period for which the employee will be entitled to not be available to attend work. In the absence of agreement, the employee is entitled to not be available to attend work for up to 48 hours (i.e. two days) per occasion.
- 8.3. The casual employee is not entitled to any payment for the period of non-attendance.
- 8.4. The Agency Head (or delegate) must not fail to re-engage a casual employee because the employee accessed the entitlements provided for in this clause. The rights of an employer to engage or not engage a casual employee are otherwise not affected.
- 8.5. The casual employee must, as soon as reasonably practicable and during the ordinary hours of the first day or shift of such absence, inform the employer of their inability to attend for duty. If it is not reasonably practicable to inform the employer during the ordinary hours of the first day or shift of such absence, the employee will inform the employer within 24 hours of the absence.

9. RATES OF PAY

- 9.1. The rates of pay the classification as prescribed in Clause 4:
- 9.2. The rates of pay for Casual Interpreters are set out in clause 9.3 and clause 9.4. These rates are an all-inclusive rate of pay including of any casual loading, any payment for overtime, any leave entitlements and all allowances.

9.3. STANDARD HOURS

The standard hours of work are Monday to Friday between 7.30 a.m. to 6.00 p.m.

9.3.1. On-Demand Telephone Interpreting

| Classification | Rate of Pay | Rate of pay |
|------------------------------------|---------------|-----------------------|
| NAATI Certification | First 15 mins | Per minute thereafter |
| Recognised Practising Interpreter | \$11.00 | \$0.50 |
| Certified Provisional Interpreter | \$11.70 | \$0.55 |
| Certified Professional Interpreter | \$12.50 | \$0.60 |

9.3.2. Pre-booked services Telephone Interpreting

| Classification NAATI Certification | Rate of Pay First 30 mins | Rate of pay Per 15 minute thereafter |
|---------------------------------------|------------------------------|--|
| Recognised Practising Interpreter | \$18.50 | \$7.50 |
| Certified Provisional Interpreter | \$19.95 | \$8.25 |
| Certified Professional Interpreter | \$21.50 | \$9.00 |

9.4. NON- STANDARD HOURS

9.4.1. Non-Standard Hours of work are performed outside the standard hours of being 7.30 a.m. to 6.00 p.m.

9.4.2. This below rates of pay is an all-inclusive rate includes any loadings, overtime and/or allowances for working outside of standard hours of work.

9.4.3. On-Demand Telephone Interpreting

| Non- Standard Hours | | |
|---------------------------------------|------------------------------|---|
| Classification NAATI Certification | Rate of Pay First 15 mins | Rate of pay Per minute thereafter |
| Recognised Practising Interpreter | \$16.50 | \$0.75 |
| Certified Provisional Interpreter | \$17.55 | \$0.83 |
| Certified Professional Interpreter | \$18.75 | \$0.90 |

9.4.4. Pre-booked services Telephone Interpreting

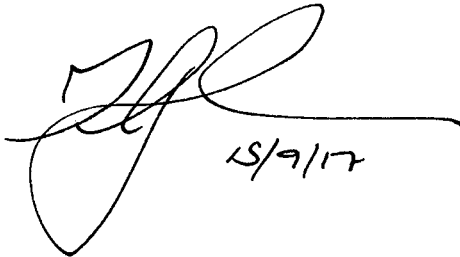
| Non-Standard Hours | | |
|---------------------------------------|------------------------------|--|
| Classification NAATI Certification | Rate of Pay First 30 mins | Rate of pay Per 15 minute thereafter |
| Recognised Practising Interpreter | \$27.75 | \$11.25 |
| Certified Provisional Interpreter | \$29.93 | \$12.58 |
| Certified Professional Interpreter | \$32.25 | \$13.50 |

9.5. If an employee is required to undertake an assignment on a public holiday, they are entitled to receive standard hourly rate (as prescribed in Clause 9.3) plus an additional 150 per cent of the standard rate of pay for the duration of the assignment.

10. The remuneration is reviewed on an annual basis, and will be submitted to the Wages Policy Taskforce for approval in accordance with NSW Government's Public Sector Wage Policy 2011.

11. DATE OF EFFECT

This Determination shall take effect on and from the 15 September 2017



15/9/17

Ian Galvin
Acting Director, Public Sector Industrial Relations
NSW Industrial Relations