

(1880)

SERIAL C6296

TRANSPORT INDUSTRY - QUARRIED MATERIALS, &c., CARRIERS INTERIM CONTRACT DETERMINATION

Schedule of Contract Determination Published on 8.2.2008 and Subsequent Variations Incorporated

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DETERMINATION

This Interim Contract Determination has been made in order to facilitate the operation of a trial period for contract carriers to cart quarried materials at cartage rates for vehicles not otherwise specified in the Transport Industry - Quarried Materials &c., Carriers Contract Determination ("TIQMCD").

1.1 Preamble

The rates in this Interim Contract Determination will give principal contractors more operational flexibility whilst compensating contract carriers at fair and reasonable cartage rates for work performed.

1.2 Trial Period

A trial period shall operate for a period of 12 months commencing from 4 October 2007.

1.3 Area & Incidence

- (a) This Interim Determination will apply to all contracts of carriage of "Quarried Materials &c." as defined in clause 1, Definitions of the TIQMCD.
- (b) This Interim Determination will apply to all contractors (other than municipal, city & Shire councils) and contract carriers engaged in or in connection with such work within the State of NSW (excluding the County of Yancowinna).
- (c) This Interim Contract Determination shall be read and construed in conjunction with the TIQMCD. Where there is any inconsistency between the provisions contained within the TIQMCD and the provisions of this Interim Contract Determination, the provisions in this Interim Contract Determination will apply.

1.4 Cartage Rates During Trial Period

The cartage rates that will apply to a contract carrier who participates in a trial pursuant to this Interim Contract Determination are set out in Annexure A subject to the Transport Industry (GST Protocol) Contract Determination and the Boral GST Protocol (Facilitation and Compliance) Contract Determination which will continue to apply during the life of this Interim Contract Determination.



1.5 Voluntary Participation

- (a) A contract carrier must elect to participate in the trial period. Such election should be made in writing, signed by the contract carrier, and in the form as set out in clause 1.9 of this Interim Contract Determination.
- (b) During the trial period, the Transport Workers Union ("Union") may request copies of the election forms from the principal contractor provided the contract carrier has given consent to the principal contractor to provide the election form to the Union.

1.6 Contract Carrier Requirements

- (a) In order to participate in the trial the contract carrier must have units capable of operating at GCM of 42.5 tonnes or greater in tri-axle trailer configuration or capable of operating at GCM of 48 tonnes or greater in truck or dog configuration.

1.7 Monitor & Review

- (a) The principal contractor must keep a record of all contract carriers who have elected to participate in the trial, the location of where they have performed the work and all payments which have been made to the contract carriers that relate to this trial.
- (b) The principal contractor will document the following information and provide it to the Union at three monthly intervals:
 - (i) the number of contract carriers who have participated in the trial during that period; and
 - (ii) the locations of where the work has been performed during that period; and
 - (iii) all payments which have been made to the contract carriers during that period that relate to the trial.
- (c) At the end of the trial period, the principal contractor will perform a review of the trial to ensure that the Interim Contract Determination is suitable to the needs of the principal contractor and that the contract carriers are satisfied with the new rates structure. The principal contractor will invite the Union's input during the review process and properly consider that input.

1.8 Conclusion of the trial period

- (a) At the conclusion of the trial period either party may make application to vary the TIQMCD by inserting the cartage rates outlined in Annexure A and any other terms based on the findings of the trial period.



1.9 Driver Election Form

DRIVER ELECTION FORM

Principal Business Name:

Location of work to be performed:

I _____ of
(Print Name)

Business Name

ABN Number

elect to participate in the trial as set out in the Transport Industry - Quarried Materials &c., Carriers Interim Contract Determination. Having made this election to participate in the trial, I understand that I will be paid the cartage rates set out in the Transport Industry - Quarried Materials &c., Carriers Interim Contract Determination.

Signed:

Dated:

Witness:

(Print Name)

Signed

In order to ensure that drivers are electing on a voluntary basis to take part in the trial, these forms may be provided to the Transport Workers Union, subject to drivers consent.

Please tick this box if you consent to this form being provided to the Union.

ANNEXURE A

SCHEDULE IA

VEHICLES WITH A GCM OF 42.5 TONNES CARTAGE RATES

QUANTITY / DISTANCE RATES

Symbol	Item	Rate \$	Unit
F.F	Flag Fall	2.644	Per Tonne
A		0.156	Per Tonne
B		0.142	Per Tonne
C		0.134	Per Tonne
D		0.12	Per Tonne
E		0.113	Per Tonne
F		0.107	Per Tonne
G		0.101	Per Tonne
H	Large Material	0.80	Per Tonne
I	Large Material 600+ Material	1.35	Per Tonne

Notation:

The cartage rates above have been calculated by applying the following percentages to the rates in Schedule 1 of Annexure A of the TIQMCD:

Schedule IA - 75%

SCHEDULE 1B

VEHICLES WITH A GCM OF 48 TONNES CARTAGE RATES QUANTITY/ DISTANCE RATES

Symbol	Item	Rate \$	Unit
F.F	Flag Fall	2.47	Per Tonne
A		0.146	Per Tonne
B		0.132	Per Tonne
C		0.125	Per Tonne
D		0.112	Per Tonne
E		0.106	Per Tonne
F		0.10	Per Tonne
G		0.094	Per Tonne
H	Large Material	0.743	Per Tonne
I	Large Material 600+ Material	1.256	Per Tonne

Notation:

The cartage rates above have been calculated by applying the following percentages to the rates in Schedule 1 of Annexure A of the TIQMCD:

Schedule IB - 70%