

C3356 Cas N Doc Q3854

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Workplace Relations Act 1996
s.170LJ certification of agreement

CSR Limited

and

CSR Limited Officers' Association
(C No. 22529 of 1998)

**CSR LIMITED SENIOR STAFF PACKAGING ARRANGEMENTS CERTIFIED
AGREEMENT 1998**

Various employees

Industries not otherwise assigned

SENIOR DEPUTY PRESIDENT HARRISON

SYDNEY, 21 JULY 1998

Certification of Division 2 agreement

DECISION

This is an application pursuant to s.170LJ of the *Workplace Relations Act 1996* (the Act) for certification of an agreement known as the CSR Limited Senior Staff Packaging Arrangements Certified Agreement 1998.

The agreement has been made between CSR Limited and the CSR Limited Officers' Association.

On the basis of the Statutory Declarations filed by the parties to the agreement and the submissions made, I am satisfied that the relevant requirements of the Act and the Rules have been met.

CERTIFICATION OF AGREEMENT

In accordance with section 170LT of the *Workplace Relations Act 1996*, the Commission hereby certifies the attached written agreement between CSR Limited and the CSR Limited Officers' Association.

CSR LIMITED SENIOR STAFF PACKAGING ARRANGEMENTS CERTIFIED AGREEMENT
1998

This agreement shall come into force from 15 July 1998 and shall remain in force until 15 July 2001.

BY THE COMMISSION:



Appearances:

Ms H. Carter, Solicitor, Michael Harmer & Associates appearing with *Mr Rogers* for CSR Limited.

Mr D. Boner appearing for CSR Limited Officers' Association.

Hearing details:

1998

Sydney:

July 15.

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CSR LIMITED AND
THE CSR LIMITED OFFICERS' ASSOCIATION
SENIOR STAFF SALARY PACKAGING ARRANGEMENTS ENTERPRISE
AGREEMENT

1. TITLE

This agreement shall be know as the CSR Limited Senior Staff Packaging Arrangements Certified Agreement 1998.

2. ARRANGEMENT

Clause	Subject Matter
1	Title
2	Arrangement
3	Application
4	Definitions
5	Acknowledgments
6	Salary Packaging
7	Other Benefits
8	Dispute Settling Procedure
9	Relationship to Parent Award
10	Duration
11	Signatories

3. APPLICATION

- (a) This Agreement shall be binding on the Association, its members and on the Company.
- (b) This Agreement will apply only to Senior Managers.

4. DEFINITIONS

In this Agreement:

- (a) "Award" means the CSR Staff (Consolidated) Award 1992
- (b) "Contributing Salary" means the amount which is advised to the Employee by the Company as that Employee's Contributing Salary. It does not involve any other remuneration items
- (c) "Deemed Salary" means a percentage of a Senior Manager's Total Package Value as set out in Clause 11 of this Agreement.
- (d) "Employee" has the meaning given that expression in the Award.
- (e) "Senior Manager" means an Employee who is classified at Job Grade 11 or above.
- (f) "Total Package Value" means the cost to the Company of a Senior Manager's remuneration package which is advised to that Senior Manager by the Company as that Employee's Total Package Value at the time of annual salary reviews.

5. ACKNOWLEDGMENTS

- (a) From 1990, Senior Managers who are members of the CSR Staff Superannuation Fund - Accumulation Division have been given some flexibility in relation the level of superannuation contributions the Company will make on their behalf. These elections have resulted in salary sacrifice and superannuation allowances respectively.
- (b) Since around July 1988 Senior Managers have been given flexibility in relation to the value of motor vehicle they are provided with by the Company. The positive and negative differences in the costs of a Senior Manager's vehicle as compared to the standard vehicle entitlement were paid to the Senior Manager or an allowance or subtracted from the Senior Manager's salary.
- (c) Since the introduction of the flexibility set out in paragraphs 3 and 4, the Company and the Association have at all times operated on the basis that payments for accrued annual leave, long service leave and retrenchment

benefits on termination of employment will be calculated by reference to the Senior Manager's contributing salary regardless of the elections made by the Senior Manager in relation to superannuation and motor vehicle.

- (d) This Agreement aims to provide a framework in which the company can increase the extent of flexibility available to Senior Managers via Salary Packaging whilst continuing to provide annual leave, long service leave and retrenchment benefits calculated by reference to Base Salary.

6. SALARY PACKAGING

- (a) Effective 1 July 1998, each Senior Manager will be given significant discretion in relation to the components of his or her remuneration package.
- (b) At the time of annual salary reviews, each Senior Manager's Total Package Value for the following financial year will be set by the Company.
- (c) The remuneration package items which a Senior Manager may elect to include in structuring his or her remuneration package will be advised to each Senior Manager by the Company annually. Subject to Clause 6(e) below, each Senior Manager will have discretion to determine how he or she will structure his or her remuneration package from the available remuneration package items up to the Total Package Value.
- (d) In each financial year, contributions to superannuation on behalf of each Senior Manager must be made in accordance with the Superannuation Guarantee Charge legislation.
- (e) Regardless of the structure of a Senior Manager's remuneration package, the Senior Manager will at all times have a Base Salary equal to a percentage of his or her Total Package Value. The applicable percentage will be determined as follows:
- i) For all Senior Managers commencing employment with the Company after 1 July 1998, the applicable percentage will be 75% of Total Package Value.
 - ii) For all Senior Managers employed as at 1 July 1998, the applicable

percentage will be the Senior Manager's Contributing Salary as at 30 June 1998 as a percentage of the Senior Manager's remuneration package (including contributing salary, superannuation and motor vehicle) as at 30 June 1998.

- iii) The applicable percentage for all Senior Managers employed as at 1 July 1998 will remain constant whilst the Senior Manager continues in employment with the Company.

7. OTHER BENEFITS

A Senior Manager's Base Salary will be used as the basis for calculating the Senior Manager's entitlements on termination of employment to payment for:

- (a) accrued annual leave under Clause 16 of the Award;
- (b) accrued long service leave under Clause 18 of the Award;
- (c) severance pay under Clause 6 of the Retention, Redundancy and Retrenchment Agreement, December 1997 or any subsequent agreement;
- (d) relevant bonus entitlements.

8. DISPUTE SETTLING PROCEDURE

The parties incorporate by reference and agree to abide by the grievance and disputes process set out at clause 21 of the CSR Staff (consolidated) award 1992.

9. RELATIONSHIP TO PARENT AWARD

This agreement shall be read and interpreted in conjunction with the CSR Staff (Consolidated) Award 1992 (the Award) provided that to the extent of any inconsistency between the Award and this agreement this agreement shall prevail.

10. DURATION

This Agreement shall remain in force for a period of three years from the date of certification.

11. SIGNATORIES

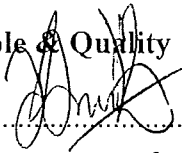
Signed for and on behalf of CSR Limited

Signed for and on behalf of the CSR
Limited Officer's Association

J. Purdie-Smith

Executive General Manager

People & Quality



Date

23/6/98

R Blaxland

CSR Officer's Association



Date

22/6/98