

This is a copy of Appendix 1 to the proposed Operations Services Maintenance Agreement with additional explanation about steps 3 to 7 of Appendix 1 added in text boxes.

## APPENDIX 1 - ABOVE AWARD GUARANTEE FORMULA

The following assumptions and formula are to be used in the calculation of Above Award Guarantee rates:

1. The calculations will be based on applicable Award rates as at the date of calculation. Current rates are set out for information only. In this clause, standard rate means the standard rate for the relevant award.
2. All roster calculations are based on allocating ordinary hours equally across all rostered working shifts e.g., in coal operations on a 7/7 12.5DN roster, 10 ordinary hours are allocated for each shift and 2.5 hours of overtime.
3. Payment at the following rates for the applicable hours per roster cycle:
  - a) For the *Black Coal Mining Industry Award 2020 (BCMI Award)* – the relevant rates of pay in Schedule C of the Award - Summary of Hourly Rates of Pay—Production and Engineering Employees
  - b) For the *Mining Industry Award 2020 (MI Award)* – the relevant rates of pay in Schedule B of the Award - Summary of Hourly Rates of Pay
  - c) Shifts will be considered afternoon and night shifts for the purposes of the BCMI Award and MI Award based on the rostered end time of the shift

**For a BCMI Award non-trades employee that is a 6 or 7 day shiftworker, Mineworker classification rates of pay include the following:**

- afternoon and rotating night shift ordinary hours, Monday to Friday: \$34.70 per hour
- overtime hours, Monday to Friday: \$64.87 per hour
- afternoon and rotating night shift ordinary hours, Saturday: \$52.04 per hour (first 4 hours) and \$69.39 per hour (after 4 hours)
- overtime hours, Saturday: \$67.13 per hour (first 4 hours) and \$69.39 per hour (after 4 hours)
- afternoon and rotating night shift ordinary hours, Sunday: \$69.39 per hour
- overtime hours, Sunday: \$69.39 per hour

**Multiply the hours in each category above for your roster cycle by the relevant hourly rate to produce the total for Step 3.**

**For this example we will assume the total amount per roster cycle is \$8,000. The actual amount may be higher or lower depending on the roster that you work.**

4. Include the following allowances where applicable per roster cycle:
  - a) In coal operations:

- i. First aid
    - First aid officer where an employee is appointed as a first aid officer – 0.76% of standard rate - flat rate per shift or attendance or paid absence from work (currently \$7.51).
    - First aid attendant where an employee is appointed as a first aid attendant – 0.45% of standard rate – flat rate per shift (currently \$4.45).
  - ii. Water money - 0.49% of standard rate - flat rate for all employees per shift (currently \$4.84).
  - iii. Dirty work - 0.23% of standard rate - flat rate for all employees per shift (currently \$2.27).
  - iv. Additional night shift - 0.85% of standard rate - flat rate for all employees per night shift (currently \$8.40).
  - v. Additional afternoon shift – 0.43% of standard rate – flat rate for all employees per afternoon shift (currently \$4.25).
  - vi. Confined space – 0.08% of standard rate – rate per hour for employees while working in confined space (currently \$0.79).
  - vii. Height money – 0.23% of standard rate - flat rate per shift where an employee is engaged on work at a height of 7.5 metres or more above the nearest horizontal plane (currently \$2.27 per shift).
  - viii. Boom welding (trades employees only) – 0.095% of standard rate – rate per hour for trades employees who are carrying out pressure or x-ray standard welding on booms (currently \$0.94 per hour).
- b) In other mining operations:
- i. Industry allowance – 3.7% of standard rate all-purpose per week for all employees (currently \$36.82).
  - ii. First aid allowance where an employee who holds first aid qualifications from St John Ambulance or an equivalent body, is appointed by the employer to participate in the emergency response team or otherwise to perform first aid duty - 2% of standard rate - flat rate per week (currently \$19.90).
  - iii. Electrical licence - where the employee is required by the Company to hold an electrical technicians licence (or equivalent) – 4.55% of standard rate - all-purpose per week (currently \$45.27).

**For example, a BCMI Award employee who works afternoon and night shifts on a 7 on / 7 off D/N roster would have at least the following allowances added:**

- **night shift allowance: 7 shifts x \$8.40 per shift = \$58.80; and**
- **afternoon shift allowance: 7 shifts x \$4.25 per shift = \$29.75,**

**for a total of \$88.55 per roster cycle.**

5. Multiply the relevant sum of steps 3 and 4 by the number of cycles per year e.g. for a 7/7 12.5DN roster, a cycle is 4 weeks/28 days, and in 365.25 days (allowing for a leap year in 2024) there are 13.044 cycles.

**Using the examples above from step 3 and 4, the calculation for a worker with 13.044 roster cycles in a year would be as follows: (\$8,000 [Step 3 amount] + \$88.55 [step 4 amount] x 13.044 = \$105,507.05**

- Add 11 public holidays at the relevant double time rate in the applicable award to the sum in step 5 (single time is already included in the rates above to make a total of treble time), provided that the total amount included in salary for the 11 shifts treated as public holiday shifts will not be less than the amount payable under the applicable award for working those shifts.

**Continuing the example above, the relevant double time rate for a Mineworker under the BCMI Award is: 2 x \$30.17 = \$60.34.**

**In that example if the employee was working 12.5 hour shifts the total amount to be added for public holidays under Step 6 would therefore be: 11 public holidays x 12.5 hours x \$60.34 = \$8,296.75.**

**The total of steps 5 and 6 would be: \$105,507.05 + \$8,296.75 = \$113,803.80.**

- Add 5% to the total in step 6 to provide the Above Award Guarantee Annual Salary.

**Continuing the example above, the Above Award Guarantee Annual Salary would be as follows: \$113,803.80 (total from Step 6) x 1.05 = \$119,493.99.**

- In addition, the following payments where applicable, will be paid separately to the sum at step 7 at the rate of 105% of the Award rate as stated in the table below. In the event that any other allowances not included in step 4 and 8 are payable to an employee under the Award they will also be paid at the rate of 105%.

<b>Employees in coal operations</b>			
<b>Allowance</b>	<b>% of standard rate in BCMI Award</b>	<b>Current Award rate</b>	<b>Current 105% of Award rate</b>
Washery allowance – flat rate for each day/shift where an employee is employed in or about a washery. This allowance is in substitution of all other disability allowances in this step 8.	0.63 per day/shift	\$6.22	\$\$6.53
Shaft work – flat rate for each day/shift where Electrical / Mechanical employees are engaged on shaft work	0.59 per day/shift	\$5.83	\$6.12

Sewer/shaft work – flat rate for each day/shift where Electrical / Mechanical employees required to carry out work in connection with the release of blockages in sewerage lines and connections thereto (including pumps) for a minimum of four hours (or one hour after removal from a pumping station or treatment works for cleaning or stripping)	0.3 per day/shift	\$2.96	\$3.11
Underground allowance - flat rate per shift where an adult Electrical/ Mechanical employee works underground on any shift	0.23 per shift	\$2.27	\$2.38
Meal allowance - flat rate for each meal where an employee works un-rostered overtime, unless <ul style="list-style-type: none"> <li>• notified no later than the previous day of the requirement to work overtime; or</li> <li>• supplied with a meal.</li> </ul>		\$18.08	\$18.98
Tool allowance – flat rate per week where an employee is required to provide their own necessary tools.		\$13.22	\$13.88

<b>Employees in other mining operations</b>			
<b>Allowance</b>	<b>% of standard rate in MI Award</b>	<b>Current Award rate</b>	<b>Current 105% of Award rate</b>
Leading hand allowance – flat rate per week if appointed in writing to such position <ul style="list-style-type: none"> <li>▪ 3 to 10 employees</li> <li>▪ 11 to 20 employees</li> <li>▪ More than 20 employees</li> </ul>	<ul style="list-style-type: none"> <li>• 4.4</li> <li>• 5.6</li> <li>• 7.53</li> </ul>	<ul style="list-style-type: none"> <li>• \$43.78</li> <li>• \$55.72</li> <li>• \$74.92</li> </ul>	<ul style="list-style-type: none"> <li>• \$45.97</li> <li>• \$58.51</li> <li>• \$78.67</li> </ul>
Underground allowance - flat rate per hour worked underground where an Employee (other than underground miners) works underground	7	\$1.83	\$1.92
Meal allowance – flat rate for each meal where an employee works un-rostered overtime, unless		\$19.36	\$20.33

**Employees in other mining operations**

- notified no later than the previous day of the requirement to work overtime; or
- supplied with a meal or meal making facilities.