

## PAY SCALE SUMMARY

derived from the

### Property Sales Award Queensland - State 2005 [AN140229 – Qld]

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This pay scale summary was developed by the Workplace Authority and is derived from the above award as it was on 26 March 2006 as adjusted by the Australian Fair Pay Commission. This summary incorporates increases determined by the Australian Fair Pay Commission with effect commencing from the employee's first pay period on or after the 1 October 2008.

Enquiries about the application of the Australian Fair Pay Commission's decision should be referred to the Workplace Infoline on **1300 363 264**.



Australian Government  
Workplace Authority

**For more information about coverage (and exclusions) under the commission only pay scale, see: <http://www.fairpay.gov.au/fairpay/RealEstateDecision/>.**

### Coverage

This pay scale summary applies throughout Queensland to employees principally engaged in the listing, sale, auction, tender, purchase and/or leasing of real property and to their employers.

This pay scale summary does not apply to any employee:

- (i) who occupies a management position with the employer; and
- (ii) whose primary duties do not involve the listing, sale, auction, tender, purchase and/or leasing of real property; and
- (iii) whose remuneration, not including anything other than salary and/ or commission entitlements, is at or above the rate prescribed under section 4 of Part 2 of the Industrial Relations Regulation 2000 (Qld).

This pay scale summary does not apply to any person employed principally as a clerk or for secretarial support.

For detail of the coverage provisions see the 26 March 2006 version of the award.

### Wages

Classification	Rate	Rate based on
Property Sales Person	\$14.31	
Property Sales Person (Advanced)	112% (\$16.03)	Basic hourly rate for Property Sales Person

Rates in this pay scale summary were notionally adjusted to the equivalent hourly rates on 27 March 2006, by dividing weekly rates derived from the pre-reform award by 40 hours per week. For information about trainee wages, see below.

### ***Other Information – wages***

The pre-reform award, as it was on 26 March 2006, enabled salespersons to 'opt out' of award rates and make a 'commission only' agreement with their employer, subject to certain conditions. Such agreements, in place under the pre-reform award as at 26 March 2006, continue in force as Preserved State Agreements. The 'commission only' rates in those agreements are also preserved in this pay scale summary. However, the 'opt out' mechanism under the award does not form part of this pay scale summary, so it is not possible for new employees to 'opt out' of basic hourly rates in this pay scale summary after 26 March 2006.

After Preserved State Agreements cease effect or are terminated, affected employees are guaranteed the relevant 'commission only' rate (i.e. derived from their pre-reform 'commission only' agreement) that is preserved under this pay scale summary, as adjusted by the Australian Fair Pay Commission.

For more information about employees on commission, refer to the [Workplace Authority website](#).

### **Casual Rates**

<b>Loading for Casual employees</b>	<b>Loading</b>
Based on relevant basic hourly rate	23%

### **Juniors**

Junior rates of pay are not covered by this pay scale summary.

### **Trainees**

<b>Year/ Stage</b>	<b>Rate</b>	<b>Rate based on</b>
Property Sales Trainee	80% (\$12.05)	Basic hourly rate for Property Sales Person as adjusted (see note below)

### ***Other information – trainees***

Full-time rates for trainees are based on a 38-hour week. For that reason, the reference rate (i.e. Basic hourly rate for Property Sales Person) is multiplied by 40/38 for purposes of this provision.

Conversion to a traineeship for an existing employee must not reduce the employee's basic rate of pay.

### **Apprentices**

Apprentice rates of pay are not covered by this pay scale summary.

## **Frequency of payment**

Wages for 'commission only' employees are payable no later than 30 days after commission is received by the employer.

An employee may also enter into a workplace or agreement or contract of employment that contains frequency of payment provisions. Such employees are guaranteed the frequency of payment in the applicable workplace agreement or contract of employment, providing that frequency of payment is at least monthly.

In the absence of any relevant frequency of payment provisions, the employee is guaranteed fortnightly payment in arrears (see section 189 of the *Workplace Relations Act 1996*).

Note that the frequency of payment provisions in this pay scale summary do not apply to employees who are covered by a workplace agreement or contract of employment containing frequency of payment provisions that provide for payments in respect of periods of one month or less. Such employees are guaranteed payment in accordance with the frequency of payment provisions in the workplace agreement or contract of employment.

## **Pay Scale Summary – Background**

This summary sets out basic classification wages, and associated provisions, derived from the 26 March 2006 version of the award. Other conditions of employment (including allowances, penalties and loadings) may be contained in an award, workplace agreement, contract of employment, or Notional Agreement Preserving State Awards.

Demonstrated compliance with the details published in this pay scale summary by an employer bound to observe the provisions of the equivalent preserved Australian Pay and Classification Scale (pay scale) will be deemed by the Workplace Ombudsman as satisfying the employer's obligations under the pay scale, provided that the employee is correctly classified and paid for each hour worked in accordance with the pay scale. The keeping of time and wages records and the issuing of payslips is required by law and will be needed to demonstrate to the Workplace Ombudsman compliance with the pay scale.

This pay scale summary provides information about the effect of Australian Fair Pay Commission decisions. Any questions concerning this summary, or the entitlements of employees under the pay scale or the related award should be directed to the Workplace Infoline on 1300 363 264.

## **Transitional Arrangements**

Despite the coverage provisions of the pay scale, an employee or employer may not be covered by the pay scale while the employee or employer is covered by one of the following:

- a pre-reform federal certified agreement
- a pre-reform federal Australian Workplace Agreement
- an individual or collective preserved State agreement
- a transitional award (for employers in the federal system not covered by the 26 March 2006 workplace reforms, these will apply for up to 5 years from 27 March 2006).

**If you require assistance with any provisions of this pay scale summary please call the Workplace Infoline on 1300 363 264.**

## **Disclaimer**

By agreeing to use this summary of information, the user agrees:

- that the Commonwealth of Australia does not give any guarantee, undertaking or warranty whatsoever in relation to the summary, including in relation to the accuracy, completeness or currency of the summary; and
- to indemnify and hold harmless the Commonwealth from and against any loss or liability suffered by a user or a third party, arising out of the provision of the information, howsoever caused, including due to the negligence of the Commonwealth.