

**REGISTER OF
ENTERPRISE AGREEMENTS**

ENTERPRISE AGREEMENT NO: EA02/06

TITLE: Pettina Park Pet Care Centre Enterprise Agreement

I.R.C. NO: 2001/6093

DATE APPROVED/COMMENCEMENT: 7 November 2001

TERM: 7 November 2004

**NEW AGREEMENT OR
VARIATION:** New

GAZETTAL REFERENCE: 15 March 2002

DATE TERMINATED:

NUMBER OF PAGES: 6

COVERAGE/DESCRIPTION OF

EMPLOYEES: The Agreement covers all employees performing similar work to those employed pursuant to the Animal Welfare (General) State Award.

PARTIES: Pettina Park Pet Care Centre -&- Cara McPherson, Carrie Playford, Emma Stachiw

ENTERPRISE AGREEMENT
PETTINA PARK PET CARE CENTRE

PART A.

1. Preliminary

The parties to this Enterprise Agreement are Peter Frederick Davis (The employer) trading as Pettina Park Pet Care Centre, and the employees of the enterprise.

This agreement will operate from the date of approval by the commission and run for a nominal term of 3 years.

This agreement shall prevail over existing common law contracts. This agreement does not, on balance, provide a net detriment to the employees when compared with the aggregate package of conditions of employment under a State or Federal award that covers employees performing similar work to that performed by the employees covered by this agreement, and reference has been made to the Animal Welfare (General) State Award in this regard.

This Enterprise Agreement has been formulated without any duress.

Calculations have been made comparing the rates under this agreement with the penalty and other provisions under the award and there is no net detriment under this agreement.

The aim of the Agreement is to provide for the development of managerial personnel able to run the business in the absence of the Proprietors, to share in the success and rewards of the business, and able to lease and run the business on their own account should the opportunity present itself upon retirement of the Proprietors.

The objective is to have hands-on personnel able to attend the whole range of functions from the routine feeding, cleaning and exercising of animals through the administration, staff supervision and training, business promotion, financial control, and the like.

The variation in weekly hours usually associated with these types of businesses, and business in the tourist area such as Coffs Harbour, will be evened out by operation of an hours bank and the payment of a consistent weekly salary irrespective of hours worked, with any adjustments made annually, or at termination of employment,.

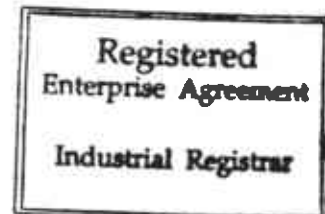
The parties agree that their objective is the development of a workplace culture which is flexible, committed and highly skilled and where participation, co-operation, teamwork, and trust establishes and maintains Pettina Park as a recognised leader in the field of Pet Care, and where a high level of job satisfaction is enjoyed by all.

2. Disputes. The basic intent of the agreement is that no party be disadvantaged, and to this end should a dispute arise the employee is required to notify the employer of the substance of the grievance, in writing, and state the remedy sought.

Where bilateral discussions fail to resolve the issue the matter will be referred for conciliation to Green & McKay, Solicitors, First Avenue, Sawtell.

Early conciliation and the application of common sense to ensure no disadvantage under the terms of this agreement removes the need for a lot of wordage to spell everything out in great detail. Looking for obscure meanings will therefore be a waste of time.

3. Scope. This agreement, seeks to cover two managers (titled manager and assistant manager) and one trainee manager.



4. Employment. Employment shall be for a probationary period of three months, followed by a performance review, and a further three months probationary period followed by a performance review, with permanent employment offered after a satisfactory performance review, after the 6 months.

5. Tenure. Employment may be terminated by two weeks notice on either side or by Pettina Park without notice on the payment of salary for a similar period. In the case of redundancy, the provisions existing in N.S.W. State Awards will be followed.

Pettina Park has in addition, the right of instant dismissal in cases of misconduct.

6 Hours. Unless otherwise agreed, the two managers will work 4 days on and 4 days off, with the individual on the "off" period working as necessary to assist on busy days such as some Friday and Monday mornings, and in holiday periods, or as otherwise necessary to get the job done.

On the basis of 9 hours a day during the week, and with 4 hours on Saturdays, Sundays and Public Holidays, hours worked for 4 days could vary between 36 hours and 26 hours, with additional hours worked as above.

Consistent earnings will be maintained by payment of 40 hours per week irrespective of the number of hours worked, and the highs and lows will be evened out by each maintaining an hours bank.

Overtime hours in excess of 40 hours per week will be reconciled annually and, after allowance for annual leave due, any excess hours will be compensated by time off in lieu or be paid out at time and a half.

Annual holidays shall be paid on the same basis - at 40 hours per week, or 8 hours per day in the case of single days, and the hours bank will be debited at the same rate.

At the end of 18 months and then every 18 months thereafter the hours bank will be reconciled. Excess hours owing to the employee will be taken as time off in lieu or will be paid out at the established rate. This fits in with annual leave being taken within 6 months of coming due.

In the event of termination of employment, excess hours owing the employee will be paid out as above, and any hours owing to the employer may be deducted from any annual leave due. Unless agreed to the contrary, a Trainee Manager will be paid on the basis of actual hours worked each week.

The hourly rate shall be as set out in Part B - Monetary Rates, in this Agreement.

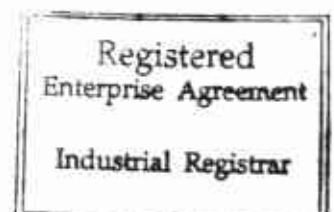
7. Bonus/Profit Sharing. The existing scheme, commenced in November, 2000, and which recognises the efforts made to promote the business and the disabilities associated with working weekends and holidays and seeking to meet often unreasonable client demands, will be continued.

8. Annual Holidays. The N.S.W. Annual Holidays Act provides for 4 weeks leave after the completion of the first 12 months, and every year thereafter with the leave becoming due 12 months after it was last due. (So the first leave is actually the 13th month - but thereafter it is inclusive in the 12 months service).

Leave must be taken within 6 months of it becoming due. It cannot be accumulated to be paid out later.

This fits in with the reconciliation of the hours banks.

/3



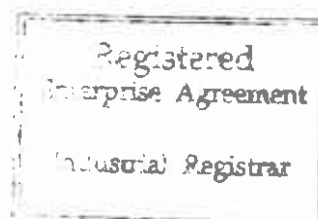
3.

Annual leave can be taken in one unbroken period or it can be taken in three periods. Up to five days may be taken as single days.

9. Superannuation. This is governed by legislation and is currently 8%

10. Redundancy. In the event of an economic downturn resulting in reduced hours and where redundancy would result the parties may by agreement elect to pool the available hours and share them around thus resulting in consistent weeks of less than 40 hours. In that event annual leave and other entitlements will be on a pro-rata basis.

Part B - Monetary Rates. Attached.



ENTERPRISE AGREEMENT
PETTINA PARK PET CARE CENTRE
PART B - MONETARY RATES

Established Rates

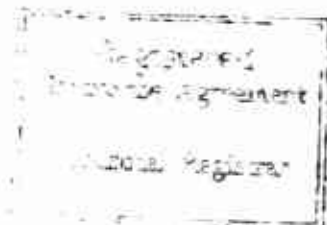
Manager \$14.00 per hour
Assistant Manager \$13.00 per hour

At the anniversary of the approval of this agreement by the Industrial Relations Commission, the established rates will be increased as follows:-

First anniversary.....3%
Second anniversary.....3%
Third anniversary.....3%

Trainee Manager or General Hand - expressed as a percentage of the rate payable to the Assistant Manager.

under 17 years of age-----	%
at 17 years of age-----	70
at 18 years of age-----	80
at 19 years of age-----	90
at 20 years of age-----	100



CALCULATIONS / COMPARISONS

Animal Welfare (Grenada) Award

Animal Attendant - definition is employee with 3 years experience.

We are training Assistant Manager with Nil experience (commenced March 2001) and a Manager who has had 12 months part time experience.

Award	\$400-40 pw
Increase May 01	+ 13-00
	\$413-40
	\$10-88 Hour,

HOURS OF BUSINESS
what we work.

Weekdays 9 hours.
Weekends + Public Hols 4 hours.

HOURS OF WORK

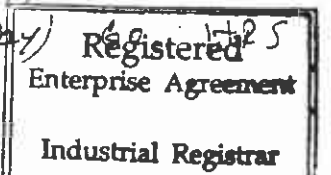
Each works 4 days on and 4 off.
In the mornings on Monday and Friday the one on the OFF days may assist the other.

In school holidays (15 weeks) the OFF will need to assist in the mornings during the week, and weekends. The ordinary time rate is covered in the base hourly rate paid.

Allowing 4 hours each on Sat + Sunday (4 @ 1 1/2 and 4 at DT) gives extra 6 hours pay. There are 15 weekends - the OFF manager will assist on, say, 8 of them — = 48 hours. Penalty time.

Penalty Component

Each works	26 Sundays 4 hrs (4 hrs extra pay)	104 HRS
" "	" Saturdays 4 hrs (2 hrs extra pay)	52 HRS
" "	10 Public Hols 4 hrs (6 hrs extra pay) (assuming both work all Public holidays)	60 HRS



TOTAL PENALTY HOURS 104 + 52 + 60 + 48 ---- = 264 PENALTY HOURS.

= 5.08 HRS PER WEEK.
= \$55-27 PW (award rate above).
= \$1-38 per hour in 40 hour week.

Award Rate (above) \$10-88 HR.



ADD PENALTY HRS \$1-38
\$12-26.

AGREEMENT

\$13-00 ASSISTANT MANAGER } plus the Incentive Bonus
\$14-00 MANAGER

SET WEEK VARIES 26 HRS TO 36 HRS, AGREEMENT PAYS 40 HRS (POOL)

SIGNATURES TO AGREEMENT.

<u>NAME</u>	<u>SIGNATURE</u>	<u>DATE SIGNED</u>
<u>Emma Stachiw</u>		<u>23.8.01</u>
<u>Carrie Playford</u>	<u>Carrie A Playford</u>	<u>22.8.01</u>
<u>Cara McPherson</u>		<u>21.8.01</u>
<u>Peter Davis</u> (Employer)	<u>Peter Davis</u>	<u>23.8.01</u>

Registered
Enterprise Agreement
Industrial Registrar