**BUSINESS NAME**

**CASUAL PIECEWORK AGREEMENT**

This AGREEMENT is made between ...................................................... who is to be engaged as a casual piecework apple picker (the employee) by The Westerway Raspberry Farm (the employer).

The Agreement provides details of the piecework payment arrangements in relation to the employee’s engagement in accordance with Clause 15, Horticulture Award 2010. A copy of the award is available upon request from Richard Clark

**Employer:** Richard Clark (1488 Gordon River Rd, Westerway, Tas, 7140)

**Employee:** ............................................................................................................

**Award:** Horticulture Award 2010

**Classification:** Casual Pieceworker

**Duties:** Picking raspberries

**Rate of Pay:** In the main part of the season, pickers will be paid a minimum of $0.85/125g punnet, $1.90/Family Pack and $4.50/kg in kilo packs.

**Conditions of Payments:** Rates of pay will be adjusted upward at the beginning and end of the season when fruit quantities are lower.

**Piecework Loading:** The piecework rate fixed by agreement between the employer and the employee must enable the average competent employee to earn at least 15% more per hour than the minimum hourly rate prescribed in the award for the type of employment and the classification level of the employee. The piecework rate once agreed is to be paid for all work performed in accordance with the piecework agreement.

**Piecework Agreement:** The piecework agreement must be in writing, made without coercion or duress, signed by both employer and the employee and the employee must receive a copy of the agreement.

Nothing in the Horticulture Award 2010 or this agreement guarantees an employee on a piecework rate will earn at least the minimum ordinary time hourly wage in the award for the type of employment and the classification level of the employee, as the employee’s earnings are contingent on their productivity.

**Job Description:** The employer believes a casual piecework raspberry picker should be able to pick 2.1 trays of family packs and 1kg of jam or 4 trays of 125g punnets and 1kg of jam per hour. If you are unable to achieve this target, we will have a discussion with you to see if you wish to continue picking given the lower rate of return for your effort. Once picking begins the employer would encourage casual piecework raspberrry pickers to attend work each day of picking to ensure they generate as much income as possible.

**Acceptance of Position:** This is a casual piecework position without any guarantee of ongoing employment or a fixed hourly rate. It is conditional upon you being capable of performing the duties as required to a satisfactory standard and adhering to the Conditions of Employment in respect of performance, behaviour and safety matters.

Hours may vary from week to week. More hours in any 7 day period may be offset but fewer hours in another 7 day period with employees averaging no more than 38 hours/week over the 3 month harvest. No employee will be required to work more than 38 hours in any 7 day period but can do so by choice.

 I have read and understand the Employment Agreement, together with the Conditions of Employment. Failure to adhere to these conditions may result in the termination of employment.

 I accept the position as described above and agree to abide by the terms of the Agreement and the hereto attached Conditions of Employment.

Signed by the employee: Dated / /

Signed by the employer: Dated / /

and/or their authorised representative/supervisor