

Graylands Selby-Lemnos and Special Care Health Services Award 1999

1. - TITLE

This Award shall be known as the Graylands Selby-Lemnos and Special Care Health Services Award 1999.

1B. - MINIMUM ADULT AWARD WAGE

- (1) No adult employee shall be paid less than the minimum adult award wage unless otherwise provided by this clause.
- (2) The minimum adult award wage for full time adult employees is \$504.40 per week payable on and from 7 July 2006.
- (3) The minimum adult award wage is deemed to include all arbitrated safety net adjustments from State Wage Case decisions.
- (4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.
- (5) Juniors shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.
- (6)
 - (a) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.
 - (b) Liberty to apply is reserved in relation to any special categories of employees not included here or otherwise in relation to the application of the minimum adult award wage.
- (7) Subject to this clause the minimum adult award wage shall:
 - (a) apply to all work in ordinary hours.
 - (b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.
- (8) **Minimum Adult Award Wage**

The rates of pay in this award include the minimum weekly wage for adult employees payable under the 2006 General Order Wage Case Decision. Any increase arising from the insertion of the adult minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the adult minimum wage.
- (9) **Adult Apprentices**

- (a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or over, shall not be paid less than \$421.70 per week.
- (b) The rate paid in paragraph (a) above is payable on superannuation and during any period of paid leave prescribed by this Award.
- (c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.
- (d) Nothing in this clause shall operate to reduce the rate of pay fixed by this award for an adult apprentice in force immediately prior to 5 June 2003.

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3. - AREA OF OPERATION

This Award shall apply throughout the State of Western Australia.

4. - SCOPE

This Award shall extend to and bind:

- (1) all Government Officers employed at Graylands Selby-Lemnos and Special Care Health Services (GSL) by the Metropolitan Health Service Board in any calling in which they are eligible for membership of the Health Services Union of Western Australia (Union of Workers) (the HSU); including all salaried employees (being professional administrative, clerical, technical and supervisory employees) (including any employed in the callings listed in Schedule M to this Award)
- (2) the HSU;
- (3) the CSA to the extent that the organisation had eligible financial members employed by the employer at GSL on the 6th of May 1998, who continue to be a member and be employed at GSL, in any calling in which they are eligible for membership of the CSA; and
- (4) the Metropolitan Health Service Board, or its successor (the employer);
- (5) provided that the Award shall not extend the coverage of the HSU or the CSA to, or bind the employer in regard to, any employees employed in callings which at the 6th of July 1995 would have made the

employees eligible for coverage by an Award or Agreement of the Australian Liquor, Hospitality & Miscellaneous Workers Union."

- (6) Provided that the Hospital Salaried Officers Award 1968 (No. 39 of 1968) shall apply to an employee, instead of this Award, where an employee states in writing that he or she wishes the Hospital Salaried Officers Award to apply to him or her instead of this Award.
- (7) This Award does not apply to persons who commence employment after the date on which subclause (6) takes effect.

5. - TERM OF AWARD

This Award shall operate as from the first pay period commencing on or after the 1st day of September 1999 and shall remain in force for a period of three years.

6. - DEFINITIONS

In this award, the following expressions shall have the following meaning:-

"Administrative Instruction" means administrative instruction published in accordance with Section 19 of the Public Service Act 1978.

"CSA" means Civil Service Association of Western Australia Incorporated (the Association).

"Employer" means the Metropolitan Health Service Board.

"GSL" means at Graylands Selby-Lemnos and Special Care Health Services

"Headquarters" means the place in which the principal work of an officer is carried out, as defined by the Employer.

"HSU" means the Health Services Union of Western Australia (Union of Workers)

"Metropolitan Area" means that area within a radius of fifty (50) kilometres from the Perth City Railway Station.

"Officer" means a Government officer within the meaning of the Industrial Relations Act 1979.

"Unions" means the Civil Service Association of Western Australia (Inc) and the Health Services Union of Western Australia (Union of Workers)

7. - CONTRACT OF SERVICE

- (1) Period of Probation
 - (a) Every officer appointed to the employ of the employer shall normally be on probation for a period not exceeding six months, unless otherwise determined by the employer.
 - (b) An officer who is appointed from the Public Sector of Western Australia, and who has had at least six months of continuous satisfactory service immediately prior to permanent appointment will not be required to serve a period of probation.
 - (c) At any time during the period of probation the employer may annul the appointment and terminate the services of the officer by the giving of one weeks notice or payment in lieu thereof.
 - (d) Prior to the expiry of the period of probation, the employer shall:

- (i) have a report completed in respect to the officer's level of performance, efficiency, and conduct, and
- (ii) confirm the permanent appointment, or
- (iii) extend the period of probation by up to six months (only), to a maximum period of probation of 12 months (only), or
- (iv) terminate the service of the officer.

(2) Termination of Employment

(a) An officer shall give the employer written notice of intention to resign of not less than -

- (i) one month, or
- (ii) such other period as specified in the officer's contract of service where applicable.

An officer who fails to give the required written notice forfeits the sum of \$500, unless agreement is reached between an officer and the employer for a shorter period of notice than that specified.

(b) Where an officer's services are terminated for any reason other than dismissal, that officer shall be given written notice of -

- (i) one month, or
- (ii) such other period as specified in a contract of service, where applicable.

or payment of salary for the appropriate period in lieu of notice.

(c) The employment of a casual officer may be terminated at any time by the casual officer or the employer giving to the other, one hour's prior notice. In the event of a employer or casual officer failing to give the required notice, one hour's salary shall be paid or forfeited.

(3) Retirement

An officer having attained the age of 55 years shall be entitled to retire from the employ of the employer.

(4) Contract Employment

(a) Notwithstanding the other provisions contained in this clause, the employer may employ officers on a fixed term contract to the extent of the provisions of the Administrative Instructions.

(b) Officers appointed for a fixed term shall be advised in writing of the terms of the appointment and such advice shall specify the dates of commencement and termination of employment.

(c) The provisions of subclause (2) and (3) of this clause shall also apply to officers employed on a fixed term contract.

8. - CERTIFICATE OF SERVICE

On request, the employer shall issue a Certificate of Service to an officer on retirement or resignation.

9. - PART-TIME EMPLOYMENT

(1) Definitions

- (a) Permanent part-time employment is defined as regular and continuing employment for a minimum of 15 hours per week, and a maximum of 30 hours per week.
- (b) A part-time position shall be one which has discrete functions and responsibilities, but arranged in such a way as to be consistent with job redesign and multiskilling.

(2) Part-Time Agreement

- (a) Each permanent part-time arrangement shall be confirmed in writing and shall include the agreed period of the arrangement, and the agreed hours of duty in accordance with subclause (3) of this clause.
- (b) The conversion of a full-time officer to part-time employment can only be implemented with the written consent or by written request of that officer. No officer may be converted to part-time employment without his/her prior agreement.

(3) Hours of Duty

- (a) Except as agreed between employer and union, the parameters for the working of "ordinary hours" shall be 7.00am to 6.00pm.
- (b) The employer shall specify in writing before a part-time officer commences duty, the prescribed weekly and daily hours of duty for the officer including starting and finishing times each day ("ordinary hours").
- (c) The employer shall give an officer one (1) month's notice of any proposed variation to that officer's starting and finishing times and/or particular days worked, provided that the employer shall not vary the officer's total weekly hours of duty without the officer's prior written consent, a copy of which shall be sent to the designated officer and the unions.
- (d) There may be exceptional reasons for temporary variations to an officer's working hours. Since the usual reasons for seeking part-time employment are because of other commitments, any variations must be agreed to in writing by the part-time officer.

If agreement is reached to vary an officer's ordinary working hours pursuant to this subclause:

- (i) Time worked to 7½ hours on any day is not to be regarded as overtime but an extension of the contract hours for that day and should be paid at the normal rate of pay.
- (ii) Overtime shall not be payable unless the total time worked on any day exceeds 8 hours.
- (iii) Additional days worked, up to a total of five days per week, are also regarded as an extension of the contract and should be paid at the normal rate.

(4) Salary and Annual Increments

- (a) An officer who is employed on a part-time basis shall be paid a proportion of the appropriate full-time salary dependent upon time worked. The salary shall be calculated in the following manner:-

Hours worked per fortnight 75 x full-time fortnightly salary 1

- (b) A part-time officer shall be entitled to annual increments in accordance with Clause 12. - Annual Increments of this Award, subject to meeting the usual performance criteria.

(5) Leave

- (a) A part-time officer shall be entitled to the same leave and conditions prescribed in this award for full time officers.
- (b) Payment to an officer proceeding on accrued annual leave and long service leave shall be calculated on a pro rata basis having regard for any variations to the officer's ordinary working hours during the accrual period.
- (c) Sick leave and any other paid leave shall be paid at the current salary, but only for those hours or days that would normally have been worked had the officer not been on such leave.

(6) Holidays

A part-time employee shall be allowed the prescribed Public Service Holidays without deduction of pay in respect of each holiday which is observed on a day ordinarily worked by the part-time employee.

(7) Right of Reversion of Officers

- (a) Where a full-time officer is permitted, at his or her initiative, to work part-time for a period no greater than 12 months in the position he or she occupied on a full-time basis before becoming part-time, that officer has a right (upon written application) to revert to full-time hours in that position or a position of equal classification as soon as is deemed practicable by the employer, but no later than the expiry of the agreed period.
- (b) A full-time officer who is permitted at his or her initiative to work part-time for a period greater than 12 months in the position he or she occupied on a full-time basis before becoming part-time, may apply to revert to full-time hours in that position but only as soon as is deemed practicable by the employer.

This should not prevent the transfer of said officer to another full-time position at a salary commensurate on that of his or her previous full-time position.

- (c) A part-time officer who was previously a full-time officer within the organisation, who occupies a part-time office which was the initiative of management and who desires to revert to full-time employment will be required to seek promotion or transfer to full-time position by:
 - (i) application for advertised vacancies; and/or
 - (ii) by notification in writing to the employer of his or her desire to revert to full-time employment.
- (d) Nothing in paragraph (c) of this subclause shall prevent the employer, with the written consent of the officer, transferring that officer to a full-time position at a level less than the officer's substantive level.

Prior to effecting the transfer of an officer under paragraph (c) of this subclause the employer shall:

- (i) notify the officer of the specific position to which the employer proposes to transfer the officer; and
 - (ii) obtain the written consent of the officer to his or her transfer to that position.
- (8) The number or proportion of part-time officers employed in departments shall not exceed any number or proportion that may be agreed in writing between the Unions and the employer.

9A. - CASUAL EMPLOYMENT

(1) Definition

"Casual Officer" means:

- (a) an officer engaged by the hour for a period not exceeding one calendar month in any period of engagement, as determined by the employer; or
- (b) an officer engaged on a hourly rate of pay and by agreement between the Unions and the employer.

(2) Salary

- (a) A casual employee shall be paid for each hour worked at the appropriate classification contained in Clause 10. - Salaries or Clause 11. - Salaries Specified Callings of this Award in accordance with the following formula:

Fortnightly Salary
75

with the addition of twenty percent in lieu of annual leave, sick leave, long service leave and payment for public holidays.

- (b) The provisions of subclauses (1) and (4) of Clause 13. - Payment of Salaries of this Award shall not apply to a casual officer.

(3) Conditions of Employment

- (a) Conditions of employment, leave and allowances provided under the provisions of this Award shall not apply to a casual officer. However, where expenses are directly and necessarily incurred by a casual officer in the ordinary performance of his/her duties, he/she shall be entitled to reimbursement in accordance with the provisions of this Award.
- (b) The employment of a casual officer may be terminated at any time by the casual officer or the employer giving to the other, one hour's prior notice. In the event of a employer or casual officer failing to give the required notice, one hour's salary shall be paid or forfeited.
- (c) The provisions of the Overtime Allowance in this Award do not apply to Casual Officers who are paid by the hour for each hour worked. Additional hours are paid at the normal casual rate.

10. - SALARIES

- (1) The annual salaries applicable to officers not covered by Clause 11. - Salaries Specified Callings of this Award shall be those contained in Schedule A.
- (2) An adult officer employed pursuant to Level 1 shall commence employment at Level 1.1. Provided that at the discretion of the Employer, the officer may be appointed to a higher incremental level subject to previous relevant knowledge and experience.

11. - SALARIES SPECIFIED CALLINGS

- (1) Officers, who possess a relevant tertiary level qualification, or equivalent determined by the employer, and who are employed in the callings of Architect, Architectural Graduate, Dental Officer, Dietitian, Engineer, Laboratory Technologist, Librarian, Medical Scientist, Pharmacist, Podiatrist, Clinical Psychologist, Psychologist, Medical Imaging Technologist, Nuclear Medicine Technologist, Radiation

Therapist, Scientific Officer, Social Worker, Therapist (Occupational, Physio or Speech), or any other professional calling as agreed between the Unions and the employer, shall be entitled to annual salaries as contained in Schedule B.

- (2) Subject to subclause (5) of this Clause, on appointment or promotion to the Level 2/4 under this clause.
- (a) Officers, who have completed an approved three year tertiary qualification, relevant to their calling, shall commence at the first year increment.
 - (b) Officers who have completed an approved four year tertiary qualification, relevant to their calling, shall commence at the second year increment.
 - (c) Officers, who have completed an approved Masters or PhD degree relevant to their calling shall commence on the third year increment.

Provided that officers who attain a higher tertiary level qualification after appointment shall not be entitled to any advanced progression through the range.

- (3) Employer shall be exclusively responsible for determining the relevant acceptable qualifications for appointment for the callings covered by this clause and shall maintain a manual setting out such qualifications.
- (4) Employer in allocating levels pursuant to subclause (1) of this clause may determine a commencing salary above level 2/4 for a particular calling/s.
- (5) The following conditions shall apply to officers in the callings detailed below:

- (a) Education Officers - Officers employed in the calling of Education Officer and appointed or promoted to level 2/4 under this Award shall commence on the following salary points:
 - (i) Officers who have completed an approved three year qualification, relevant to their calling, shall commence at the first year of the range, subject to subparagraph (v) of this subclause.
 - (ii) Officers who have completed an approved four year tertiary qualification, relevant to their calling, shall commence at the second year of the range, subject to subparagraph (v) of this subclause.
 - (iii) Officers, who hold a relevant qualification such as an Honours or other four year degree (or equivalent) plus a Diploma of Education, or a relevant Masters degree or PhD, shall commence at the third year of the range subject to subparagraph (v) of this subclause.
 - (iv) Officers, who hold a relevant Masters Degree or PhD plus a Diploma of Education, shall commence at the fourth year of the range, subject to subparagraph (v) of this subclause.
 - (v) Officers, who have not less than two years of relevant experience, shall receive an additional increment at the time of appointment. Where the officer has had three or more years of relevant experience, two additional increments shall be granted at the time of commencement.
- (b) Engineers -
 - (i) Officers employed in the calling of Engineer and who are classified level 2/4 under this Award shall be paid a minimum salary at the rate prescribed for the maximum of level 2/4 where the officer is an "experienced engineer" as defined.

For the purposes of this paragraph "experienced engineer" shall mean:-

- (aa) An engineer appointed to perform professional engineering duties and who is a Corporate Member of the Institution of Engineers, Australia or who attains that status during service.
- (bb) An engineer appointed to perform professional duties who is not a Corporate Member of The Institution of Engineers, Australia but who possesses a degree or diploma from a University, College or Institution acceptable to employer on the recommendation of the Institution of Engineers, Australia, and who -
 - (A) having graduated in a four or five year degree course at a University or Institution recognised by the employer, has had four years experience on professional engineering duties acceptable to employer since becoming a qualified engineer, or
 - (B) not having a University degree but possessing a diploma recognised by employer, has had five years experience on professional engineering duties, recognised by the employer since becoming a qualified engineer.
- (c) Architectural Graduate - Officers employed in the calling of Architectural Graduate, as defined, and appointed or promoted to Level 2/4 shall commence on the following salary points:
 - (i) Officers who have completed an approved five year tertiary qualification, relevant to this calling, shall commence at the second year increment.
 - (ii) Officers who have completed and approved Masters or PhD degree, relevant to this calling, shall commence at the third year increment.

For the purposes of this paragraph "Architectural Graduate" shall mean an officer who possesses a relevant tertiary level qualification or equivalent determined by employer but is not registered with the Architects Board of Western Australia as an Architect, and who undertakes such duties as are necessary for achieving such registration with the Architects Board of Western Australia.

- (d) Architect - Officers employed in the calling of Architect, as defined, and appointed or promoted to Level 2/4 shall commence at the fourth year increment.

For the purposes of this paragraph "Architect" shall mean an officer who possesses a relevant tertiary level qualification or equivalent determined by employer, and possesses the necessary experience and is registered with the Architects Board of Western Australia as an Architect.

11A. - ARBITRATED SAFETY NET ADJUSTMENT

The rates of pay in this award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by employees since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement

Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

12. - ANNUAL INCREMENTS

An officer shall proceed to the maximum of the officer's salary range by annual increments in accordance with the following provisions:

- (1) Before any increase in salary is paid to an officer who occupies an office which is allocated a range of salary the officer in charge shall, no later than 12 months since the officer's last increment, complete a report in respect of the officer's level of performance, efficiency and conduct and where the Employer is satisfied with the report the increase in salary shall be paid.
- (2) Where the Employer considers the report of the officer in charge to be an adverse report the following provisions shall apply;
 - (a) the report shall be brought to the notice of the officer and shall be initialled by the officer;
 - (b) if the officer desires to give an explanation or give any reasons for disagreeing with the report the officer shall put the explanation or reasons in writing;
 - (c) the Employer shall immediately consider the report and the Officer's explanation or the reasons and may approve the increase in salary or forthwith recommend to employer that the increase shall not be paid for a specific period;
 - (d) employer shall forthwith enquire into the matter and may approve, vary or reverse the recommendation and shall notify the officer of the decision within twenty eight clear days of the recommendation.
- (3) Where an increase is not paid for a specific period, the Employer shall complete a further report before the expiry of that specific period and the provisions of subclauses (1) and (2) of this clause shall apply in respect of that report.
- (4) The non-payment of an increase shall not change the normal anniversary date of any further increase due to the officer.

13. - PAYMENT OF SALARIES

- (1) Salaries shall be paid fortnightly but, where the usual pay day falls on a Public Service holiday, payment shall be made on the previous working day.
- (2) A fortnight's salary shall be computed by dividing the annual salary by 313 and multiplying the result by 12.
- (3) The hourly rate shall be computed as one seventy-fifth of the fortnight's salary.
- (4) Salaries shall be paid by direct funds transfer to the credit of an account nominated by the officer at a bank, building society or credit union approved by the Under Treasurer or an Accountable Officer.

Provided that where such form of payment is impracticable or where some exceptional circumstances exist, and by agreement between employer and the Union(s), payment by cheque may be made.

14. - HIGHER DUTIES ALLOWANCE

- (1) An officer who is directed by the Employer to act in an office which is classified higher than the officer's own substantive office and who performs the full duties and accepts the full responsibility of the higher office for a continuous period of five (5) consecutive working days or more, shall, subject to the provisions of this clause, be paid an allowance equal to the difference between the officer's own salary and the salary the officer would receive if the officer was permanently appointed to the office in which the officer is so directed to act.

Provided that where the hours of duty of an officer performing shift work are greater than 7½ hours per day as provided for in paragraph (3)(a) of Clause 17. - Shift Work Allowance of this award the allowance shall be payable after the completion of 37½ consecutive working hours in the higher classified position. This period shall not include any time worked as overtime.

- (2) Where the full duties of a higher office are temporarily performed by two (2) or more officers they shall each be paid an allowance as determined by the Employer.
- (3) An officer who is directed to act in a higher classified office but who is not required to carry out the full duties of the position and/or accept the full responsibilities, shall be paid such proportion of the allowance provided for in subclause (1) of this clause as the duties and responsibilities performed bear to the full duties and responsibilities of the higher office. Provided that the officer shall be informed, prior to the commencement of acting in the higher classified office, of the duties to be carried out, the responsibilities to be accepted and the allowance to be paid.

The allowance paid may be adjusted during the period of higher duties.

- (4) Where an officer who has qualified for payment of higher duties allowance under this clause is required to act in another office or other offices classified higher than the officer's own for periods less than five consecutive working days without any break in acting service, such officer shall be paid a higher duties allowance for such periods: provided that payment shall be made at the highest rate the officer has been paid during the term of continuous acting or at the rate applicable to the office in which the officer is currently acting - whichever is the lesser.
- (5) Where an officer is directed to act in an office which has an incremental range of salaries such an officer shall be entitled to receive an increase in the higher duties allowance equivalent to the annual increment the officer would have received had the officer been permanently appointed to such office; provided that acting service with allowances for acting in offices for the same classification or higher than the office during the eighteen (18) months preceding the commencement of such acting shall aggregate as qualifying service towards such an increase in the allowance.
- (6) Where an officer who is in receipt of an allowance granted under this clause and has been so for a continuous period of twelve (12) months or more, proceeds on -
 - (a) a period of normal annual leave; or
 - (b) a period of any other approved leave of absence of not more than four (4) weeks,

the officer shall continue to receive the allowance for the period of leave: provided that this subclause shall also apply to an officer who has been in receipt of an allowance for less than twelve (12) months if during the officer's absence no other officer acts in the office in which the officer was acting immediately prior to proceeding on leave and the officer resumes in the office immediately on return from leave.

For the purpose of this subclause the expression "normal annual leave" shall mean the annual period of recreation leave as referred to in Clause 19. - Annual Leave of this Award and shall include any public service holidays and leave in lieu accrued during the preceding twelve (12) months taken in conjunction with such annual recreation leave.

- (7) Where an officer who is in receipt of an allowance granted under this clause proceeds on -
 - (a) a period of annual leave in excess of the normal; or
 - (b) a period of any other approved leave of absence of more than four (4) weeks,such officer shall not be entitled to receive payment of such allowance for the whole or any part of the period of such leave.

16. - HOURS

(1) Prescribed Hours of Duty

Prescribed hours of duty to be observed by officers shall be seven hours thirty minutes per day to be worked between 7.00 am and 6.00 pm Monday to Friday as determined by the employer with a lunch interval of forty-five minutes to be taken between 12.00 noon and 2.00 pm. Subject to the lunch interval prescribed hours are to be worked as one continuous period.

Employers wishing to vary the prescribed hours of duty to be observed shall be required to give one month's notice in writing to the department, branch, section or officers to be affected by the change.

(2) Other Working Arrangements

(a) The employer may vary the prescribed hours of duty observed in the department or any branch or section thereof so as to make provisions for:

- (i) the attendance of officers for duty on a Saturday, Sunday, Public Holiday or on a Public Service Holiday.
- (ii) the performance of shift work including work on Saturdays, Sundays, Public Holidays or on a Public Service Holiday; and
- (iii) the nature of the duties of an officer or class of officers in fulfilling the responsibilities of their office.

provided that where the hours of duty are so varied an officer shall not be required to work more than five hours continuously without a break.

(b) Notwithstanding the above, where it is considered necessary to provide a more economic operations, the employer may authorise the operation of alternative working arrangements in the department, or any branch of section thereof.

The continuing operation of any alternative working arrangements, so approved, will depend on the employer being satisfied that the efficient functioning of the department is being enhanced by its operation.

Such alternative working arrangements shall be either:

- (i) the operation of flexitime as specified in subclause (3) of this clause, or
- (ii) the operation of a nine day fortnight as specified in subclause (4) of this clause.
- (iii) The operation of permanent part-time employment as specified in Clause 9. - Part Time Employment of this award, or
- (iv) such other arrangement as is approved by employer.

(3) Flexitime Arrangements

(a) Flexitime Roster

- (i) The authorisation of a flexitime roster shall be the responsibility of the employer. The roster will indicate the minimum staffing and any other requirements in respect to starting and finishing times, lunch break coverage and flexileave.

- (ii) The roster shall cover a settlement period of four weeks and shall be made available to all affected officers no later than three days prior to the settlement period commencing.
- (iii) The roster shall be prepared in consultation with the affected officers, subject to the employer retaining the right to determine arrangements to suit the operational needs of the department.
- (iv) Subject to four weeks notice being given to affected officers, the employer may withdraw authorisation of a flexitime roster.

(b) Hours of Duty

- (i) The prescribed hours of duty may be an average of 7 hours 30 minutes per day which may be worked with flexible commencement and finishing times in accordance with the provisions of this subclause, provided that the required hours of duty for each four week settlement period shall be 150 hours.
- (ii) For the purpose of leave, Public Holidays and Public Service Holidays, a day shall be credited as 7 hours 30 minutes.

(c) Flexitime Periods

Within the constraints of the prepared roster and subject to the concurrence of the supervisor, officers may select their own starting and finishing times within the following periods:

7.30 am to 9.30 am
12.00 noon to 2.00 pm (Minimum half an hour break)
3.30 pm to 6.00 pm

(d) Core Periods

Officers must work in the following core periods unless unavoidably absent due to illness or approved leave.

9.30 am to 12.00 noon
2.00 pm to 3.30 pm

(e) Lunch Break

- (i) An officer shall be allowed to extend the meal break between 12 noon and 2.00 pm of not less than 30 minutes but not exceeding 45 minutes except as provided below.
- (ii) An officer may be allowed to extend the meal break beyond 45 minutes to a maximum of 90 minutes. Such an extension is subject to prior approval of the officer's supervisor.

(f) Flexileave

- (i) Within the constraints of the prepared roster and subject to the prior approval of the supervisor, an officer may be allowed a maximum of two full days or any combination of half days and full days that does not in total exceed two days in any one settlement period.
- (ii) Approval to take flexileave is subject to the officer having accrued sufficient credit hours to cover the absence prior to taking the leave. In exceptional circumstances and with the approval of the employer, flexileave may be taken before accrual subject to such conditions as the employer may impose.

(g) Settlement Period

- (i) For recording time worked, there shall be a settlement period which shall consist of four weeks.
- (ii) The settlement period shall commence at the beginning of a pay period.
- (iii) The required hours of duty for a settlement period shall be 150 hours.

(h) Credit Hours

- (i) Credit hours in excess of the required 150 hours to a maximum of 7 hours 30 minutes are permitted at the end of each settlement period. Such credit hours shall be carried forward to the next settlement period.
- (ii) Credit hours in excess of 7 hours 30 minutes at the end of a settlement period shall be lost.
- (iii) Credit hours at any point within the settlement period shall not exceed 20 hours.

(i) Debit Hours

- (i) Debit hours below the required 150 hours to a maximum of 4 hours are permitted at the end of each settlement period.

Such debit hours shall be carried forward to the next settlement period.
- (ii) For debit hours in excess of 4 hours, officer shall be required to take leave without pay for the period necessary to reduce debit hours to those specified in subparagraph (i)(i) of this subclause.
- (iii) Officers having excessive debit hours may be placed on standard working hours in addition to being required to take leave without pay.

(j) Maximum Daily Working Hours

A maximum of 10 hours may be worked in any one day, assuming a 7.30 am start, 6.00 pm finish and 30 minutes for lunch.

(k) Study Leave

Where study leave has been approved by the employer pursuant to the provisions of Clause 25. - Study Leave, credits will be given for education commitments falling within the prescribed hours of duty and for which "time off" is necessary to allow for attendance at formal classes.

(l) Overtime

- (i) Officers receiving at least one day's prior notice of overtime shall be required to work the prescribed hours of duty determined by the employer under subclause (1) - Prescribed Hours of Duty of this clause.
- (ii) Where an officer is required to work overtime at the conclusion of a day with less than one day's notice, and
 - (aa) where the officer has at the commencement of that day 2 hours or more flexitime credits, the officer shall be paid overtime after 5 hours work on that day, or for time worked after 3.30 pm, whichever is the later, or
 - (bb) where that officer has commenced duty prior to 8.30 am and has, at the commencement of that day, less than 2 hours flexitime credits, the officer

shall be paid overtime, for time worked after the completion of prescribed hours of duty or after working 7½ hours on that day, whichever is the earlier, or

(cc) where that officer has commenced work after 8.30 am and has, at the commencement of that day, less than 2 hours flexitime credits, the officer shall be paid overtime for time worked after 5.30 pm or after working 7½ hours, on that day whichever is the earlier.

(iii) Where an officer is required to work overtime at the beginning of a day with less than one day's notice, that officer shall be paid overtime for any time worked prior to the commencing time for prescribed hours of duty determined by the employer under subclause (1) - Prescribed Hours of duty of this clause.

(4) Nine Day Fortnight

(a) Hours of Duty

(i) The employer may authorise the operation of a nine day fortnight where the prescribed hours of duty of 75 hours a fortnight are worked over nine days of the fortnight, exclusive of work performed on Saturday, Sunday and the special rostered day off, with each day consisting of 8 hours and 20 minutes.

(ii) The employer shall determine officers' commencing and finishing times between the spread of 7.00 am and 6.00 pm, in order to ensure that departmental requirements are met on each day.

(b) Lunch Break

(i) Officers shall be allowed forty five minutes for a meal break between 12 noon and 2.00 pm to meet departmental requirements.

(ii) Such meal breaks shall be arranged so that adequate staff are on duty between 12 noon and 2.00 pm to meet departmental requirements.

(c) Special Rostered Day Off

Each officer shall be allowed one special rostered day off each fortnight in accordance with a roster prepared by management showing days and hours of duty and special rostered days off for each officer.

(d) Leave, Public and Public Service Holidays.

For the purposes of leave, Public Holidays and Public Service Holidays, a day shall be credited as 8 hours 20 minutes notwithstanding the following:

(i) When a Public Holiday or a Public Service Holiday falls on an officer's special rostered day off the officer shall be granted a day in lieu of the holiday prior to the conclusion of the current fortnight.

(ii) For a Public Holiday or Public Service Holiday occurring during a period of annual leave, an additional day will be added to the period of leave irrespective of whether it falls on a rostered work day or special rostered day off.

(iii) A four week annual leave entitlement is equivalent to 150 hours, the equivalent to eighteen rostered working days of 8 hours 20 minutes, and two special rostered days off.

(iv) An officer who is sick on a special rostered day off will not be granted sick leave for that day, and will not be credited with an additional day off in lieu.

(e) Overtime

The provisions of Clause 18. - Overtime Allowance of this Award shall apply for work performed prior to an officer's nominated starting time and after an officer's nominated ceasing time in accordance with subparagraph (a)(ii) and on an officer's special rostered day off.

(f) Study Leave

Credits for study leave will be given for educational commitments falling due between an officer's nominated starting and finishing times.

17. - SHIFT WORK ALLOWANCE

(1) In this Clause the following expressions shall have the following meaning:

"Day shift" means a shift commencing after 6.00am and before 12.00 noon.

"Afternoon shift" means a shift commencing at or after 12.00 noon and before 6.00pm.

"Night shift" means a shift commencing at or after 6.00pm and before 6.01am.

"Public holiday" shall mean a holiday provided in Clause 20. - Public Holidays of this Award.

(2) (a) An officer required to work an afternoon or a night shift of seven and one half (7½) hours shall, in addition to the ordinary rate of salary, be paid an allowance in accordance with Schedule J. - Shift Work Allowance of this award.

(b) Work performed during ordinary rostered hours on Saturdays or Sundays shall be paid for at the rate of time and one-half and on public service holidays at double time and one-half. These rates shall be paid in lieu of the allowance prescribed in paragraph (2)(a) of this clause.

Provided that in lieu of the foregoing provisions of this subclause and subject to agreement between the Employer and the officer, work performed during ordinary rostered hours on a public service holiday shall be paid for at the rate of time and one-half and the officer may, in addition, be allowed a day's leave with pay to be added to annual leave or to be taken at some other time within a period of one year.

(c) An officer rostered off duty on a public service holiday shall be paid at ordinary rates for such day or, subject to agreement between the Employer and the officer, be allowed a day's leave with pay in lieu of the holiday to be added to the officer's next annual leave entitlement or taken at a mutually convenient time within a period of one year.

(d) An officer engaged on shift work who is rostered to work regularly on Sundays and/or public service holidays shall be entitled to one week's leave in addition to the officer's normal entitlement to annual leave of absence for recreation.

(e) Additional leave provided by paragraphs (b) and (c) of this subclause shall not be subject to the annual leave loading prescribed by subclause (11) of Clause 19. - Annual Leave of this award.

(f) Work performed by an officer in excess of the ordinary hours of the officer's shift or on a rostered day off shall be paid for in accordance with the overtime provisions of Clause 18. - Overtime of this award.

(g) (i) When an officer begins or ceases a shift between the hours of 11.00 pm and 7.00 am and no public transport is available, reimbursement at the appropriate rate of hire prescribed by subclause (4) of Clause 35. - Motor Vehicle Allowance of this Award

shall be made if the officer's private motor vehicle or cycle is used for the journey between the officer's residence and headquarters and the return journey.

Provided however, that any officer who, on or after October 30, 1987, elects to be permanently retained on a fixed or non rotating shift that begins or ceases between or on the hours of 11.00 pm and 7.00 am shall not be eligible to claim this reimbursement.

- (ii) The provisions of this subclause shall only be applied to officers living and working within a radius of 50km of the Perth City Railway Station.

(3) Hours of Duty and Rosters

- (a) An officer engaged on shifts shall work a 75 hour fortnight, exclusive of meal intervals, on the basis of not more than ten (10) shifts per fortnight of not more than seven and one half hours duration. Provided that where agreement is reached between the Employer and the Unions the length and/or number of shifts worked per fortnight may be altered.

Provided that when the agreed length of a shift is extended past seven and one half hours, overtime shall be payable only for time worked in excess of the rostered shift.

Provided also that whenever an agreed alteration to the number of hours per shift has occurred then the allowance per shift shall be varied on a pro rata basis to reflect any variation to other than seven and one half (7½) hours.

- (b) Meal breaks shall be for a period of at least thirty (30) minutes, but not greater than one hour for each meal.
- (c) Officers may be rostered to work on any of the seven days of the week provided that no officer shall be rostered for more than six (6) consecutive days.

Provided that where agreement is reached between the Employer and the Unions, shift workers may be exempted from this provision.

- (d) The roster period shall commence at the beginning of a pay period and continue for fourteen (14) consecutive days. Rosters shall be available to officers at least five (5) clear working days prior to the commencement of the roster.
- (e) A roster may only be altered on account of a contingency which the Employer could not have been reasonably expected to foresee. When a roster is altered, the officer concerned shall be notified of the changed shift 24 hours before the changed shift commences. Provided that where such notice is not given, the officer shall be paid overtime in accordance with Clause 18. - Overtime for the duration of the changed shift. This provision shall not apply to an officer who was absent from duty on the officer's last rostered shift.
- (f) An officer shall not be rostered for duty until at least ten (10) hours have elapsed from the time the officer's previous rostered shift ended. Provided that where agreement is reached between the Unions and the Public Service Commission the ten (10) hour break may be reduced to accommodate special shift arrangements, except that under no circumstances shall such an agreement provide for a break of less than 8 hours.
- (g) An officer shall not be retained permanently on one shift unless the officer so elects in writing.
- (h) Officers shall be allowed to exchange shifts or days off with other officers provided the approval of the Employer has been obtained and provided further that any excess hours worked shall not involve the payment of overtime.

18. - OVERTIME ALLOWANCE

- (1) For the purposes of this Clause, the following terms shall have the following meanings:
- (a) "Overtime" means all work performed only at the direction of the Employer or a duly authorised officer outside the prescribed hours of duty.
 - (b) "Emergency Duty" means: duty by an officer required to return to duty, without prior notice, to meet an emergency at a time that the officer would not ordinarily have been on duty.
 - (c) "Prescribed hours of duty" means an officer's normal working hours as prescribed by the Employer in accordance with Clause 16. - Hours, of this Award.
 - (d) "Duly authorised officer" means an officer or officers appointed in writing by the Employer for the purpose of authorising overtime.
 - (e) "A day" shall mean from midnight to midnight.
 - (f) "Public Service Holiday" means the days prescribed as Public Holidays or Public Service Holidays in Clause 20. - Public Holidays of this award.
 - (g) "Ordinary travelling time" means time that an officer would have ordinarily spent in travelling once daily from the officer's home to the officer's usual headquarters and home again, by either public transport, or where continuing approval has been given to use a vehicle for official business, by that vehicle.
 - (h) "Excess travelling time" means all time travelled on official business outside prescribed hours of duty and away from the officer's usual headquarters in accordance with subclause (7) of this Clause.
 - (i) "Fortnightly salary" means an officer's substantive salary exclusive of any allowances such as the district allowance, personal allowance, qualifications allowance, efficiency allowance, service allowance, special allowance, or higher duties allowance unless otherwise approved by the Employer. Provided that a special allowance or higher duties allowance shall be included in "fortnightly salary" when overtime is worked on duties for which these allowances are specifically paid.
 - (j) "Commutated overtime" means an agreed allowance negotiated between the Unions and the Employer, paid in lieu of actual overtime worked for a group of officers occupying positions which require work to be performed consistently and regularly outside and in excess of the prescribed hours of duty.
 - (k) "Out of hours contact" shall include the following:

STANDBY - shall mean a written instruction to an officer to remain at the officer's place of employment during any period outside the officer's normal hours of duty, and to perform certain designated tasks periodically or on an ad hoc basis. Such officer shall be provided with appropriate facilities for sleeping if attendance is overnight, and other personal needs, where practicable.

Other than in extraordinary circumstances, officers shall not be required to perform more than two periods of standby in any rostered week.

This provision shall not replace normal overtime or shift work requirements.

ON CALL - shall mean a written instruction to an officer rostered to remain at the officer's residence or to otherwise be immediately contactable by telephone or paging system outside the officer's normal hours of duty in case of a call out requiring an immediate return to duty.

AVAILABILITY - shall mean a written instruction to an officer to remain contactable, but not necessarily in immediate proximity to a telephone or paging system, outside the officer's normal hours of duty and be available and in a fit state at all such times for recall to duty.

"Availability" will not include situations in which officers carry paging devices or make their telephone numbers available only in the event that they may be needed for casual contact or recall to work. Subject to subclause (3) of this Clause recall to work under such circumstances would constitute emergency duty in accordance with subclause (6) of this Clause.

(2) Overtime

(a) An officer who works overtime for a greater period than 30 minutes, shall be entitled to payment in accordance with paragraph (d) of this subclause, or time off in lieu of payment in accordance with paragraph (b) of this subclause, or any combination of payment or time off in lieu.

(b) Time off in lieu

(i) Where the officer or the Employer or the duly authorised officer, so elects in writing prior to overtime being worked, time off in lieu of payment for overtime worked may be taken in accordance with the time ratios in paragraph (d) of this subclause.

(ii) The officer shall be required to clear accumulated time off in lieu within two months of the overtime being performed, provided that by written agreement between the officer and the Employer, or duly authorised officer, time off in lieu of payment for overtime may be accumulated beyond two months from the time the overtime is performed so as to be taken in conjunction with periods of approved leave.

(iii) If the department is unable to release the officer to clear such leave within two months of the overtime being performed, and no further agreement prescribed in subparagraph (ii) of this paragraph is reached, then the officer shall be paid for the overtime worked.

(c) Commuted Allowance

Any commuted allowance and/or time off in lieu of overtime, other than that provided in paragraph (b) of this subclause, shall be negotiated between the Unions and the Employer.

(d) Payment for Overtime

Payment for overtime shall be calculated on an hourly basis in accordance with the following formula:

(i) Weekdays

For the first three hours worked outside the prescribed hours of duty on any one weekday at the rate of time and one half:

$$\text{i.e. Fortnightly Salary 75} \quad \times \quad \underline{\underline{3}} \text{ 2}$$

After the first three hours on any one week day at the rate of double time:

$$\text{i.e. } \underline{\underline{\text{Fortnightly Salary 75}}} \quad \times \quad \underline{\underline{2}} \text{ 1}$$

(ii) Saturdays

For the first three hours on any Saturday, before 12.00 noon, at the rate of time and one half:

$$\text{i.e. Fortnightly} \quad \times \quad \underline{\underline{3}} \\ \text{Salary 75} \quad \quad \quad \underline{\underline{2}}$$

After the first three hours or after 12.00 noon, whichever is the earlier, on any Saturday at the rate of double time:

i.e. Fortnightly Salary 75 x 2 1

(iii) Sundays

For all hours on any Sunday, at the rate of double time:

i.e. Fortnightly Salary 75 x 2 1

(iv) Public Service Holidays

For hours worked during prescribed hours of duty on any Public Service Holiday at the rate of time and one half (in addition to the normal pay for that day):

i.e. Fortnightly Salary 75 x 3 2

For hours worked outside of the prescribed hours of duty on any Public Service Holiday at the rate of double time and a half:

i.e. Fortnightly Salary 75 x 5 2

(e) Annual Leave/Long Service Leave

An officer directed to return to duty during periods of annual or long service leave shall be deemed to be no longer on leave for the duration of that period of duty.

- (i) If the officer is directed to return to duty during a period of leave during prescribed hours of duty, then that officer shall be recredited with that leave for the same number of hours of duty performed.
- (ii) If the officer is directed to return to duty during a period of leave outside of prescribed hours of duty, then that officer shall be entitled to payment of overtime in accordance with subclause (2) of this clause.

(f) Time Worked Past Midnight

Where an officer is required to work a continuous period of overtime which extends past midnight into the succeeding day the time worked after midnight shall be included with that worked before midnight for the purpose of calculation of payment provided for in this subclause.

(g) Minimum Periods for Return to Duty

- (i) An officer, having received prior notice, who is required to return to duty:
 - (aa) on a Saturday, Sunday or Public Service Holiday, otherwise than during prescribed hours of duty, shall be entitled to payment at the rate in accordance with paragraph (d) of this subclause for a minimum of three hours;
 - (bb) before or after the prescribed hours of duty on a weekday shall be entitled to payment at the rate in accordance with paragraph (d) of this subclause for a minimum period of one and one half hours;

- (ii) For the purpose of this subclause, where an officer is required to return to duty more than once, each duty period shall stand alone in respect to the application of minimum period payment except where the second or subsequent return to duty is within any such minimum period.
 - (iii) The provisions of this subparagraph shall not apply in cases where it is customary for an officer to return to the place of employment to perform a specific job outside the prescribed hours of duty, or where the overtime is continuous (subject to a meal break) with the completion or commencement of prescribed hours of duty.
 - (h) Overtime at a Place Other than Usual Headquarters
 - (i) When an officer is directed to work overtime at a place other than usual headquarters, and provided that the place where the overtime is to be worked is situated in the area within a radius of fifty (50) kilometres from usual headquarters, and the time spent in travelling to and from that place is in excess of the time which an officer would ordinarily spend in travelling to and from usual headquarters, and provided such travel is undertaken on the same day as the overtime is worked, then such excess time shall be deemed to form part of the overtime worked.
 - (ii) Except as provided in paragraph (e) of subclause (5) and paragraph (b) of subclause (6) of this clause, when an officer is directed to work overtime at a place other than usual headquarters, and provided that the place where the overtime is to be worked is situated outside the area within a radius of fifty (50) kilometres from usual headquarters and the time spent in travelling to and from that place is in excess of the time which the officer would ordinarily spend in travelling to and from usual headquarters, then the officer shall be granted time off in lieu of such excess time spent in actual travel in accordance with subclause (7) Excess Travelling Time of this clause.
 - (i) Ten Hour Break
 - (i) When overtime is worked, a break of not less than ten (10) hours shall be taken between the completion of work on one day and the commencement of work on the next, without loss of salary for ordinary working time occurring during such absence.
 - (ii) Provided that where an officer is directed to return to or continue work without the break provided in subparagraph (i) of this paragraph then the officer shall be paid at double the ordinary rate until released from duty, or until the officer has had ten consecutive hours off duty without loss of salary for ordinary working time occurring during such absence.
 - (iii) The provisions of subparagraphs (i) and (ii) of this paragraph, shall not apply to officers included in subclause (5) of this clause.
- (3) Cases where overtime provisions do not apply
 - (a) Except as provided in paragraph (b) of this subclause, payment for overtime, or the granting of time off in lieu of overtime, or travelling time, shall not be approved in the following cases:
 - (i) Officers whose maximum salary or maximum salary and allowance in the nature of salary exceeds that as determined for Level 5 as prescribed by Clauses 10. - Salaries and 11. - Salaries Specified Callings of this Award.
 - (ii) Officers whose work is not subject to close supervision.
 - (b)
 - (i) Where it appears just and reasonable, the Employer may approve the payment of overtime or grant time off in lieu to any officer referred to in paragraph (a) of this subclause.

- (ii) When an officer who is not subject to close supervision is directed by the Employer to carry out specific duties involving the working of overtime, and provided such overtime can be reasonably determined by the officer's supervisor, then such officer shall be entitled to payment or time off in lieu of overtime worked in accordance with paragraphs (2)(d) or (2)(b) of this clause.

(4) Meal Allowances

- (a) A break of 30 minutes shall be made for meals between 5.30 am and 7.30 am, between 12.00 noon and 2.00pm, and between 4.30 pm and 6.30 pm when overtime duty is being performed.
- (b) Except in the case of emergency, an officer shall not be compelled to work more than five hours overtime duty without a meal break. At the conclusion of a meal break, the calculation of the five hour limit recommences.
- (c) An officer required to work overtime of not less than two hours, and who actually purchases a meal shall be reimbursed in accordance with Part 2 of Schedule H. - Overtime of this Award, in addition to any payment for overtime to which that officer is entitled.
- (d) An officer working a continuous period of overtime who has already purchased one meal during a meal break, shall not be entitled to reimbursement for the purchase of any subsequent meal in accordance with Part 2 of Schedule H. - Overtime, of this Award until that officer has worked a further five hours overtime from the time of the last meal break.
- (e) If an officer, having received prior notification of a requirement to work overtime, is no longer required to work overtime, then the officer shall be entitled, in addition to any other penalty, to reimbursement for a meal previously purchased.

(5) Out of Hours Contact

- (a) Except as otherwise agreed between employer and the Unions, an officer who is required by the Employer or a duly authorised officer to be on "out of hours contact" during periods off duty shall be paid an allowance in accordance with the following formulae for each hour or part thereof the officer is on "out of hours contact".

Standby

Level 2 (minimum) weekly rate	x	1	x	37.5
		37.5		100

On Call

Level 2 (minimum) weekly rate	x	1	x	18.75
		37.5		100

Availability

Level 2 (minimum) weekly rate	x	1	x	18.75	x	50
		37.5		100		100

Such allowances are contained in Part 1 of Schedule H. - Overtime of this Award.

Provided that payment in accordance with this paragraph shall not be made with respect to any period for which payment is made in accordance with the provisions of subclause (2) of this clause when the officer is recalled to work.

- (b) When an officer is required to be "on call" or "availability" and the means of contact is to be by telephone the Department shall:
 - (i) Where the telephone is not already installed, pay the cost of such installation.
 - (ii) Where an officer pays or contributes towards the payment of the rental of such telephone, pay the officer 1/52nd of the annual rental paid by the officer for each seven days or part thereof on which an officer is rostered to be "on call" or "availability".
 - (iii) Provided that where as a usual feature of the duties an officer is regularly rostered to be on "on call" or "availability", pay the full amount of the telephone rental.
 - (c) An officer shall be reimbursed the cost of all telephone calls made on behalf of the employer as a result of being on out of hours contact.
 - (d) Where an officer rostered for "on call" or "availability" is recalled to duty during the period for which the officer is on "out of hours contact" then the officer shall receive payment for hours worked in accordance with subclause (2) of this clause.
 - (e) Where an officer rostered for "on call" or "availability" is recalled to duty, the time spent travelling to and from the place at which duty is to be performed, shall be included with actual duty for the purposes of overtime payment.
 - (f) Minimum payment provisions do not apply to an officer rostered for "out of hours contact" duty.
 - (g) An officer in receipt of an "out of hours contact" allowance and who is recalled to duty shall not be regarded as having performed emergency duty in accordance with subclause (6) of this clause.
 - (h) Officers subject to this clause shall, where practicable, be periodically relieved from any requirement to hold themselves on "standby", "on call" or "availability".
 - (i) No officer shall be on out of hours contact after the last working day preceding a period of annual leave or long service leave.
- (6) Emergency Duty
- (a) Where an officer is required to return to duty to meet an emergency at a time when he or she would not ordinarily have been on duty, and no notice of such call was given prior to completion of usual duty on the last day of work prior to the day on which called on duty, then if called to duty:
 - (i) on a Saturday, Sunday or Public Service Holiday, otherwise than during prescribed hours of duty he/she shall be entitled to payment at the rate in accordance with subclause (2) of this clause for a minimum period of three hours;
 - (ii) before or after the prescribed hours of duty on a weekday he/she shall be entitled to payment at the rate in accordance with subclause (2) of this clause for a minimum period of two and a half hours.
 - (b) Time spent in travelling to and from the place of duty where the officer is actually recalled to perform emergency duty shall be included with actual duty performed for the purpose of overtime payment.
 - (c) An officer recalled for emergency duty shall not be obliged to work for the minimum period if the work is completed in less time, provided that an officer called out more than once within any such minimum period shall not be entitled to any further payment for the time worked within that minimum period.

- (d) Where an officer is required to work beyond the minimum period on the first or subsequent recall for emergency duty, the additional time worked at the conclusion of that minimum period shall be paid in accordance with the appropriate rate in subclause (2) of this clause.
- (e) Where an officer is recalled for a second or subsequent period of emergency duty outside of the initial minimum period, the officer shall be entitled to payment for a new minimum period, and the provisions of this subclause shall be re-applied.
- (f) For the purpose of this subclause, no claim for payment shall be allowed in respect of any emergency duty, including travelling time, which amounts to less than 30 minutes.

(7) Excess Travelling Time

An officer eligible for payment of overtime, who is required to travel on official business outside normal working hours and away from usual headquarters shall be granted time off in lieu of such actual time spent in travelling at equivalent or ordinary rates on weekdays and at time and one half rates on Saturdays, Sundays and Public Service Holidays, otherwise than during prescribed hours of duty, provided that:

- (a) such travel is undertaken at the direction of the Employer;
- (b) such travel shall not include:
 - (i) time spent in travelling by an officer on duty at a temporary headquarters to the officer's home for weekends for the officer's own convenience;
 - (ii) time spent in travelling by plane between the hours of 11.00 pm and 6.00 am;
 - (iii) time spent in travelling by train between the hours of 11.00 pm and 6.00 am;
 - (iv) time spent in travelling by ship when meals and accommodation are provided;
 - (v) time spent in travel resulting from the permanent transfer or promotion of an officer to a new location;
 - (vi) time of travelling in which an officer is required by the department to drive, outside ordinary hours of duty, a departmental vehicle or to drive the officer's own motor vehicle involving the payment of mileage allowance, but such time shall be deemed to be overtime and paid in accordance with subclause (2) of this clause. Passengers, however, are entitled to the provisions of this subclause (7) of this clause;
 - (vii) time spent in travelling to and from the place at which overtime or emergency duty is performed, when that travelling time is already included with actual duty time for the payment of overtime.
- (c) Time off in lieu will not be granted for periods of less than 30 minutes.
- (d) Where such travel is undertaken on a normal working day, time off in lieu is granted only for such time spent in travelling before and/or after the usual hours of duty which is in excess of the officer's ordinary travelling time.
- (e) Where the urgent need to travel compels an officer to travel during the officer's usual lunch interval such additional travelling time is not to be taken into account in computing the number of hours of travelling time due.
- (f) In the case of an officer absent from usual headquarters, not involving an overnight stay, the time spent by the officer, outside the prescribed hours of duty, in waiting between the time of arrival at place of duty and the time of commencing duty, and between the time of ceasing

duty and the time of departure by the first available transport shall be deemed to be excess travelling time.

- (g) In the case of an officer absent from usual headquarters that does involve an overnight stay, the time spent by the officer, outside the prescribed hours of duty, in waiting between the time of ceasing duty on the last day and the time of departure by the first available transport shall be deemed to be excess travelling time.

(8) Special Conditions

Any group of officers whose duties necessarily entail special conditions of employment shall not be subject to the prescribed hours of duty as defined in Clause 16. - Hours of this Award if the Employer so determines. Provided, however, that such a determination shall not abrogate the right of the Unions to make a claim or claims on behalf of such a group.

19. - ANNUAL LEAVE

(1) Definitions:

- (a) Accrued leave - is the leave an officer is entitled to from a previous calendar year.
- (b) Pro-rata leave - is the proportion of leave that an officer is entitled to in the current year, either from the date of commencement, or to the date of cessation.

(2) Entitlement

- (a) Each officer is entitled to four weeks paid leave for each year of service. Annual leave shall be calculated on a calendar year basis commencing on January 1 in each year.
- (b) To assist employees in balancing their work and family responsibilities, an employee may elect, with the consent of the employer, to accrue and carry forward a maximum of two years annual leave from the date of the entitlement.
- (c) An officer employed on a fixed term contract for a period greater than 12 months, shall be credited with the same entitlement as a permanent officer. An officer employed on a fixed term contract for a period less than 12 months, shall be credited with the same entitlement on a pro-rata basis for the period of the contract.
- (d) On written application, an officer shall be paid salary in advance when proceeding on annual leave.
- (e) The provisions of this clause do not apply to Casual Officers.

(3) Pro rata Annual Leave

(a) Entitlement

- (i) An officer who enters the Public Service after January 1 is entitled to pro rata annual leave for that year, calculated in accordance with the following formula:

Completed Calendar Months of Service	Pro Rata Annual Leave (Working Days)
1	2
2	3
3	5
4	7
5	8

6	10
7	12
8	13
9	15
10	17
11	18

(ii) Provided that in the first and last months of an officers service the officer is entitled to pro rata annual leave of one working day for each two completed weeks of service.

(iii) For the purposes of this paragraph, an officer who commences on the first WORKING day of a month and works for the remainder of the month an officer who has worked throughout a month and terminates on the last working day of a month shall be regarded as having completed that calendar month of service.

(b) An officer may take annual leave during the calendar year in which it accrues or anytime thereafter, but the time during which the leave may be taken is subject to the approval of the employer.

(c) An officer who has been permitted to proceed on annual leave and who ceases duty before completing the required continuous service to accrue the leave, must refund the value of the unearned pro rata portion, calculated at the rate of salary as at the date the leave was taken, but no refund is required in the event of the death of an officer.

(4) Part-time entitlement

A part-time officer shall be granted annual leave in accordance with this clause, however payment to a part-time officer proceeding on annual leave shall be calculated having regard for any variations to the officer's ordinary working hours during the accrual period.

(5) Compaction of Annual Leave

An officer who, during an accrual period was subject to variations in ordinary working hours or whose ordinary working hours during the accrual period are less than the officer's ordinary working hours at the time of commencement of annual leave, may elect to take a lesser period of annual leave calculated by converting the average ordinary working hours during the accrual period to the equivalent ordinary hours at the time of commencement of annual leave.

(6) Additional leave for the North West

(a) Officers whose headquarters are located north of 26o South Latitude shall receive an additional five working days annual leave on the completion of each year of continuous service in the region.

(b) An officer who proceeds on annual leave before having completed the necessary year of continuous service may be given approval for the additional five working days leave provided the leave is taken at departmental convenience and provided the officer returns to that region to complete the necessary service.

(c) Where an officer has served continuously for at least a year north of the 26o South Latitude, and leaves the region because of promotion or transfer, a pro rata annual leave credit to be cleared at departmental convenience shall be approved on the following basis:

Completed months of Pro Rata additional annual leave
 continuous service in the region (working days)
 after the initial year's service.

2	NIL
3	1
4	1
5	2
6	2
7	2
8	3
9	3
10	4
11	4

- (d) Where payment in lieu of pro rata annual leave is made on the death, resignation or retirement of an officer in the region, in addition to the payment calculated on a four week basis, payment may be made for the pro rata entitlement contained in subclause (3) of this clause.

(7) Other Additional Leave

Every officer other than an officer referred to in subclause (6) of this clause, to whom employer has granted annual leave in excess of four weeks because of special circumstances shall be credited with such additional leave on a pro rata basis according to the following table.

Completed of Service	months	Pro rata annual leave (working days)	
		5 additional days	10 additional days
1		nil	nil
2		nil	1
3		1	2
4		1	3
5		2	4
6		2	5
7		2	5
8		3	6
9		3	7
10		4	8
11		4	9

(8) Portability

- (a) Where an officer was, immediately prior to being employed in the Public Service, employed in:

Any Western Australian State body or statutory authority prescribed in Administrative Instruction 611, the employer shall approve portability of accrued and pro rata annual leave entitlements held at the date the officer ceased that previous employment, provided that:

- (i) the officer's employment with the Public Service commenced no later than one week after ceasing the previous employment; and
- (ii) the officer was not paid out all or part of the accrued and pro rata annual leave entitlements held at the time of ceasing that previous employment.

- (9) Subject to paragraph (2)(b) of this clause, the employer may direct an employee to take accrued annual leave and may determine the date on which such leave shall commence. Should the employee not comply with the direction, disciplinary action may be taken against the employee.

(10) Annual Leave Travel Concessions

(a) Officers stationed in remote areas

- (i) The travel concessions contained in the following table are provided to officers and their dependents when proceeding on annual leave to either Perth or Geraldton from headquarters situated in District Allowance Areas 3, 5 and 6, and in that portion of Area 4 located north of 30° South latitude.
- (ii) Officers are required to serve a year in these areas before qualifying for travel concessions. However, officers who have less than a year's service in these areas and who are required to proceed on annual leave to suit departmental convenience will be allowed the concessions. The concession may also be given to an officer who proceeds on annual leave before completing the year's service provided that the officer returns to the area to complete the year's service at the expiration of the period of leave.
- (iii) The mode of travel is to be at the discretion of the employer.
- (iv) Travel concessions not utilised within twelve months of becoming due will lapse.
- (v) Part-time officers are entitled to travel concessions on a pro rata basis according to the usual number of hours worked per week.

Travelling time shall be calculated on a pro rata basis according to the number of hours worked.

	Approved Mode of Travel	Travel Concession	Travelling Time
(aa)	Air	Air fare for the Officer, dependent spouse and dependent children	One day each way
(bb)	Road	Full motor vehicle allowance rates, but reimbursement not to exceed the cost of the return air fare for the Officer, dependent spouse and dependent children, travelling in the motor vehicle.	South Latitude - two and one half days each way. Remainder- two days each way.°North of 20
(cc)	Air and Road	Full motor vehicle allowance rates for car trip, but reimbursement not to exceed the cost of the return air fare for the Officer. Air fares for the dependent spouse and dependent children.	South Latitude - two and one half days each way. Remainder- two days each way.°North of 20

(b) Officers whose headquarters are located 240 kilometres or more from Perth

- (i) Officers, other than those designated in paragraph (10)(a) whose headquarters are situated two hundred and forty kilometres or more from Perth General Post Office and who travel to Perth for their annual leave may be granted by the employer reasonable travelling time to enable them to complete the return journey.

(11) Leave Loading

- (a) Subject to the provisions of paragraphs (c) and (g) of this subclause, a loading equivalent to 17.5% of normal salary is payable to officers proceeding on annual leave, including accumulated annual leave.
- (b) Subject to the provisions of paragraphs (c) and (g) of this subclause, shift workers who are granted an additional week's penalty leave when proceeding on annual leave including accumulated annual leave shall be paid:
 - (i) shift and weekend penalties the officer would have received had the officer not proceeded on annual leave, or
 - (ii) a loading equivalent to 20% of normal salary for five weeks leave; whichever is the greater.
- (c) Maximum Loading
 - (i) Subject to the provisions of paragraph (e) of this subclause the loading is paid on a maximum of four weeks annual leave, or five weeks in the case of shift workers who are granted an additional weeks penalty leave. Payment of the loading is not made on additional leave granted for any other purpose (eg to officers whose headquarters are located North of the 26o South Latitude).
 - (ii) Maximum payment shall not exceed the Average Weekly Total Earnings of all Males in Western Australia, as published by the Australian Bureau of Statistics, for the September quarter of the year immediately preceding that in which the leave commences.
 - (iii) Maximum payment to shift workers who are granted an additional weeks penalty leave shall not exceed 5/4th of the Average Weekly Total Earnings of all Males in Western Australia, as published by the Australian Bureau of Statistics, for the September quarter of the year immediately preceding that in which the leave commences.
- (d) Annual leave commencing in any year and extending without a break into the following year attracts the loading calculated on the salary applicable on the day the leave commenced.
- (e) The loading payable on approved accumulated annual leave shall be at the rate applicable at the date the leave is commenced. Under these circumstances an officer can receive up to the maximum loading for the approved accumulated annual leave in addition to the loading for the current year's entitlement.
- (f) A pro rata loading is payable on periods of approved annual leave less than four weeks.
- (g) The loading is calculated on the rate of the normal fortnightly salary including any allowances which are paid as a regular fortnightly or annual amount. Any allowance paid to an officer for undertaking additional or higher level duties is only included if the allowance is payable during that period of normal annual leave as provided in subclauses (6) and (7) of Clause 14. - Higher Duties Allowance of this Award.
- (h) Where payment in lieu of accrued or pro rata annual leave is made on the death or retirement of an officer, a loading calculated in accordance with the terms of this clause is to be paid on accrued and pro rata annual leave.

- (i) When an officer resigns, or ceases employment, or where an officer is dismissed under Part IV Discipline, of the Public Service Act 1978, an annual leave loading shall be paid as follows:
 - (i) Accrued entitlements to annual leave - a loading calculated in accordance with the terms of this clause for accrued annual leave is to be paid.
 - (ii) Pro rata annual leave - no loading is to be paid.
- (j) Part-time officers shall be paid a proportion of the annual leave loading at the salary rate applicable, provided that the maximum loading payable shall be calculated in accordance with the following:

hours of work per fortnight 75	Maximum loading in accordance with subparagraph (c)(ii) of this clause 1
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- (k) An officer who has been permitted to proceed on annual leave and who ceases duty other than by resignation or dismissal, before completing the required continuous service to accrue the leave must refund the value of the unearned pro rata portion of Leave Loading but no refund is required in the event of the death of an officer.
- (l) An officer who has been permitted to proceed on annual leave and who resigns or is dismissed must refund the value of the loading paid for leave other than accrued leave.
- (m) The loading does not apply to Cadets on full time study.

20. - PUBLIC HOLIDAYS

- (1) The following days shall be allowed as holidays with pay:
 - (a) New Year's Day, Australia Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, Anzac Day, Sovereign's Birthday, Foundation Day, Labour Day, provided that employer may approve another day to be taken as a holiday in lieu of any of the above mentioned days.
 - (b) Such Public Service Holidays as are prescribed by Regulations.
- (2) When any of the days mentioned in subclause (1) of this clause falls on a Saturday or on a Sunday, the holiday shall be observed on the next succeeding Monday.

When Boxing Day falls on a Sunday or Monday, the holiday shall be observed on the next succeeding Tuesday.

In each case the substituted day shall be a holiday without deduction of pay and the day for which it is substituted shall not be a holiday.

21. - LONG SERVICE LEAVE

- (1) Each officer who has completed:
 - (a) A period of 7 years of continuous service in a permanent capacity; or
 - (b) 10 years of continuous service in a temporary capacity;

shall be entitled to 13 weeks of long service leave on full pay. Employees may by agreement with their employer, clear any accrued entitlement to long service leave in minimum periods of one (1) day.

- (2) Where an officer has continuous service in both a temporary and permanent capacity the date on which he or she shall become entitled to long service leave shall be determined by taking into account on a proportional basis the periods of temporary and permanent service.
- (3) Each officer is entitled to an additional 13 weeks of long service leave on full pay for each subsequent period of 7 years of continuous service completed by him or her.
- (4) A part-time officer shall have the same entitlement to long service leave as full time officers however payment made during such periods of long service leave shall be adjusted according to the hours worked by the officer during that accrual period.
- (5) For the purpose of determining an officer's long service leave entitlement, the expression "continuous service" includes any period during which the officer is absent on full pay or part pay from duties in the Public Service, but does not include:
 - (a) any period exceeding two weeks during which the officer is absent on leave without pay or maternity leave, except where leave without pay is approved for the purpose of fulfilling an obligation by the Government of Western Australia to provide staff for a particular assignment external to the Public Sector of Western Australia;
 - (b) any period during which an officer is taking long service leave entitlement or any portion thereof except in the case of subclause (11) when the period excised will equate to a full entitlement of 13 weeks;
 - (c) any service by an officer who resigns, is dismissed or whose services are otherwise terminated other than service prior to such resignation, dismissal or termination when that prior service has actually entitled the officer to the long service leave under this clause;
 - (d) any period of service that was taken into account in ascertaining the amount of a lump sum payment in lieu of long service leave;
 - (e) any service of a Cadet whilst undertaking full time studies.
- (6) A long service leave entitlement which fell due prior to March 16, 1988 amounted to three months. A long service leave entitlement which falls due on or after that date shall amount to thirteen weeks.
- (7) Any Public Holiday or Public Service Holiday occurring during an officers absence on long service leave shall be deemed to be a portion of the long service leave and extra days in lieu thereof shall not be granted.
- (8) The employer may direct an officer to take accrued long service leave and may determine the date on which such leave shall commence. Should the officer not comply with the direction, disciplinary action may be taken against the officer.
- (9) An officer who has elected to retire at or over the age of 55 years and who will complete not less than 12 months continuous service before the date of retirement may take application to the employer to take pro rata long service leave before the date of retirement, based on continuous service of a lesser period than that prescribed by this clause for a long service entitlement.
- (10) Compaction of leave
 - (a) An officer who, during an accrual period was subject to variations in ordinary working hours or whose ordinary working hours during the accrual period are less than the officer's ordinary working hours at the time of commencement of long service leave, may elect to take a lesser period of long service leave calculated by converting the average ordinary working hours during the accrual period to the equivalent ordinary hours at the time of commencement of long service leave.
 - (b) Notwithstanding subclause (6) of this clause, an officer who has elected to compact an accrued entitlement to long service leave in accordance with paragraph (10)(a) of this clause, shall

only take such leave in any period on full pay, and the period excised as "continuous service" shall be 13 weeks.

(11) Portability

(a) Where an officer was, immediately prior to being employed in the Public Service, employed in the service of:

- The Commonwealth of Australia, or
- Any other State Government of Australia, or
- Any Western Australian State body or statutory authority prescribed in Administrative Instruction 611,

and the period between the date when the officer ceased previous employment and the date of commencing employment in the Public Service does not exceed one week, that officer shall be entitled to long service leave determined in the following manner:

(i) the pro rata portion of long service leave to which the officer would have been entitled up to the date of appointment under the Public Service Act, shall be calculated in accordance with the provisions that applied to the previous employment referred to, but in calculating that period of pro rata long service leave, any long service leave taken or any benefit granted in lieu of any such long service leave during that employment shall be deducted from any long service leave to which the officer may become entitled under this clause; and

(ii) the balance of the long service leave entitlement of the officer shall be calculated upon appointment to the Public Service in accordance with the provisions of this clause.

(b) Nothing in this clause confers or shall be deemed to confer on any officer previously employed by the Commonwealth or by any other State of Australia any entitlement to a complete period of long service leave that accrued in the officer's favour prior to the date on which the officer commenced employment in the Public Service.

(12) Long Service Leave on Double Pay

(a) Employees may by agreement with their employer, access any portion of an accrued entitlement to long service leave on double pay for half the period accrued. In these circumstances the leave actually taken is 50 percent of the accrued entitlement accessed.

(b) Where employees proceed on long service leave on double pay in accordance with this subclause, the entitlement accessed is excised for the purpose of continuous service in accordance with subclause (5) of this clause.

(13) Cash Out of Accrued Long Service Leave Entitlement

(a) Employees may by agreement with their employer, cash out any portion of an accrued entitlement to long service leave, provided the employee proceeds on a minimum of ten (10) days annual leave in that calendar year.

(b) Where employees cash out any portion of an accrued entitlement to long service leave in accordance with this subclause, the entitlement accessed is excised for the purpose of continuous service in accordance with subclause (5) of this clause.

22. - SICK LEAVE

(1) Entitlement

- (a) The employer shall credit each permanent officer with the following sick leave credits, which shall be cumulative:

	Sick Leave on full pay	Sick Leave on half pay
On the day of initial appointment	37.5 hours	15 hours
On completion of 6 months continuous service	37.5 hours	22.5 hours
On the completion of 12 months continuous service	75 hours	37.5 hours
On the completion of each further period of 12 months continuous service	75 hours	37.5 hours

- (b) An officer employed on a fixed term contract for a period greater than 12 months, shall be credited with the same entitlement as a permanent officer. An officer employed on a fixed term contract for a period less than 12 months, shall be credited with the same entitlement on a pro rata basis for the period of the contract.
- (c) A part-time officer shall be entitled to the same sick leave credits, on a pro rata basis according to the number of hours worked each fortnight. Payment for sick leave shall only be made for those hours that would normally have been worked had the officer not been on sick leave.
- (d) The provisions of this clause do not apply to casual officers.

(2) Medical Certificate

- (a) An application for sick leave exceeding two consecutive working days shall be supported by the certificate of a registered medical practitioner or, when the nature of the illness consists of a dental condition and the period of absence does not exceed five consecutive working days, by the certificate of a registered dentist.
- (b) The amount of sick leave granted without the production of the certificate required in paragraph (a) of this subclause shall not exceed, in the aggregate, 5 working days in any one credit year.

- (3) Where the Employer has occasion for doubt as to the cause of the illness or the reason for the absence, the employer may arrange for a registered medical practitioner to visit and examine the officer, or may direct the officer to attend the medical practitioner for examination. If the report of the medical practitioner does not confirm that the officer is ill, or if the officer is not available for examination at the time of the visit of the medical practitioner, or fails, without reasonable cause, to attend the medical practitioner when directed to do so, the fee payable for the examination, appointment or visit shall be paid by the officer.

- (4) If the employer has reason to believe that an officer is in such a state of health as to render a danger to fellow officers or the public, the officer may be required to obtain and furnish a report as to his/her condition from a registered medical practitioner or be examined by the Executive Director, Public Health and Scientific Support Services, Health Department of Western Australia or a registered medical practitioner nominated by the Executive Director. The fee for any such examination shall be paid by the Department.

- (5) Where an officer is ill during the period of annual leave and produces at the time, or as soon as practicable thereafter, medical evidence to the satisfaction of the employer that as a result of the illness the officer was confined to his/her place of residence or a hospital for a period of at least seven

consecutive calendar days, the employer may grant sick leave for the period during which the officer was so confined and reinstate annual leave equivalent to the period of confinement.

- (6) Where an officer is ill during the period of long service leave and produces at the time, or as soon as practicable thereafter, medical evidence to the satisfaction of the employer that as a result of illness the officer was confined to his/her place of residence or a hospital for a period of at least 14 consecutive calendar days, the employer may grant sick leave for the period during which the officer was so confined and reinstate long service leave equivalent to the period of confinement.
- (7) An officer who is absent on leave without pay is not eligible for sick leave during the currency of that leave without pay.
- (8) No sick leave shall be granted with pay, if the illness has been caused by the misconduct of the officer or in any case of absence from duty without sufficient cause.
- (9) Where an officer who has been retired from the Public Service on medical grounds resumes duty therein, sick leave credits at the date of retirement shall be reinstated. This provision does not apply to an officer who has resigned from the Public Service and is subsequently reappointed.

(10) Workers Compensation

Where an officer suffers a disability within the meaning of section 5 of the Worker's Compensation and Assistance Act, 1981 which necessitates that officer being absent from duty, sick leave with pay shall be granted to the extent of sick leave credits. In accordance with section 80(2) of the Worker's Compensation and Assistance Act, 1981 where the claim for worker's compensation is decided in favour of the officer, sick leave credit is to be reinstated and the period of absence shall be granted as sick leave without pay.

(11) War Caused Illnesses

- (a) An officer who produces a certificate from the Department of Veterans' Affairs stating that the officer suffers from war caused illness, may be granted special sick leave credits of 112 hours 30 minutes (15 standard hour days) per annum on full pay in respect of that war caused illness. These credits shall accumulate up to a maximum credit of 337 hours and 30 minutes (45 standard hour days), and shall be recorded separately to the officer's normal sick leave credit.
- (b) Every application for sick leave for war caused illness shall be supported by a certificate from a registered medical practitioner as to the nature of the illness.

(12) Portability

- (a) The employer shall credit an officer additional sick leave credits up to those held at the date that officer ceased previous employment provided:
 - (i) immediately prior to commencing employment in the Public Service of Western Australia, the officer was employed in the service of:

The Commonwealth Government of Australia, or

Any other State of Australia, or

In a State body or statutory authority prescribed by Administrative Instruction 611; and
 - (ii) the officer's employment with the Public Service of Western Australia commenced no later than one week after ceasing previous employment.
- (b) The maximum break in employment permitted by subparagraph (a)(ii) of this subclause, may be varied by the approval of the employer provided that where employment with the Public Service of Western Australia commenced more than one week after ceasing the previous

employment, the period in excess of one week does not exceed the amount of accrued and pro rata annual leave paid out at the date the officer ceased with the previous employer.

23. - PARENTAL LEAVE

(1) Definitions

"Employee" includes full time, part time, permanent and fixed term contract employees.

"Partner" means a person who is a spouse or de facto partner.

"Primary Care Giver" is the employee who will assume the principal role for the care and attention of a child/children. The employer may require confirmation of primary care giver status.

"Public sector" means an employing authority as defined in Section 5 of the Public Sector Management Act 1994.

"Replacement Employee" is an employee specifically engaged to replace an employee proceeding on parental leave.

(2) Entitlement to Parental and Partner Leave

- (a) An employee is entitled to a period of up to 52 weeks unpaid parental leave in respect of the:
- (i) birth of a child to the employee or the employee's partner; or
 - (ii) adoption of a child who is not the child or the stepchild of the employee or the employee's partner; is under the age of five (5); and has not lived continuously with the employee for six (6) months or longer.
- (b) An employee identified as the primary care giver of a child and who has completed twelve months continuous service in the Western Australian public sector shall be entitled to the following amounts of paid parental leave which will form part of the 52 week entitlement provided in subclause (2)(a) of this clause:
- (i) eight (8) weeks paid parental leave until 30 June 2006;
 - (ii) ten (10) weeks paid parental leave from 1 July 2006;
 - (iii) twelve (12) weeks paid parental leave from 1 July 2007; and
 - (iv) fourteen (14) weeks paid parental leave from 1 July 2008.
- (c) An employee may take the paid parental leave specified in paragraph (2)(b) at half pay for a period equal to twice the period to which the employee would otherwise be entitled.
- (d) A pregnant employee can commence the period of paid parental leave any time up to six (6) weeks before the expected date of birth and no later than four (4) weeks after the birth. Any other primary care giver can commence the period of paid parental leave from the birth date or for the purposes of adoption from the placement of the child but no later than four (4) weeks after the birth or placement of the child.
- (e) Paid parental leave for primary care purposes for any one birth or adoption shall not exceed the period specified in paragraphs (2)(b) and (2)(c) above.
- (f) The paid and unpaid parental leave entitlement up to a maximum of 52 weeks may be shared between partners assuming the role of primary care giver.

- (g) Parental leave may only be taken concurrently by an employee and his or her partner as provided for in subclause (3) or under special circumstances with the approval of the employer.
 - (h) Where less than the standard parental leave is taken the unused portion of the period of paid or unpaid leave cannot be preserved in any way.
 - (i) An employee may elect to receive pay in advance for the period of paid parental leave at the time the parental leave commences, or may elect to be paid the entitlement on a fortnightly basis over the period of the paid parental leave.
 - (j) An employee is eligible, without resuming duty, for subsequent periods of parental leave in accordance with the provisions of this clause.
- (3) Partner Leave
- (a) An employee who is not a primary care giver shall be entitled to a period of unpaid partner leave of up to one (1) weeks at the time of the birth of a child/children to his or her partner. In the case of adoption of a child this period shall be increased to up to three (3) weeks unpaid leave.
 - (b) The employee may request to extend the period of unpaid partner leave up to a maximum of eight weeks.
- (4) Birth of a child
- (a) An employee shall provide the employer with a medical certificate from a registered medical practitioner naming the employee, or the employee's partner confirming the pregnancy and the estimated date of birth.
 - (b) If the pregnancy results in other than a live child or the child dies in the six weeks immediately after the birth, the entitlement to paid parental leave remains intact.
- (5) Adoption of a child
- (a) An employee seeking to adopt a child shall be entitled to two (2) days unpaid leave to attend interviews or examinations required for the adoption procedure. Employees working or residing outside the Perth metropolitan area are entitled to an additional day's unpaid leave. The employee may take any paid leave entitlement in lieu of this leave.
 - (b) If an application for parental leave has been granted for the adoption of a child, which does not eventuate, then the period of paid or unpaid parental leave is terminated. Employees may take any other paid leave entitlement in lieu of the terminated parental leave or return to work.
- (6) Other leave entitlements
- (a) An employee proceeding on unpaid parental leave may elect to substitute any part of that leave with accrued annual leave or long service leave for the whole or part of the period of unpaid parental leave.
 - (b) Subject to all other leave entitlements being exhausted an employee shall be entitled to apply for leave without pay following parental leave to extend their leave by up to two (2) years.
 - (c) The employer shall only refuse such a request on reasonable grounds related to the effect on the workplace or the employer's business. Such grounds might include:
 - (i) cost;
 - (ii) lack of adequate replacement staff;

- (iii) loss of efficiency; and
 - (iv) the impact on customer service.
 - (d) Any period of leave without pay must be applied for and approved in advance and will be granted on a year-by-year basis. Where both partners work for the employer the total combined period of leave without pay following parental leave will not exceed two (2) years.
 - (e) An employee on parental leave is not entitled to paid sick leave and other paid absences other than as specified in subclause (6)(a) and (6)(f).
 - (f) Should the birth or adoption result in other than the arrival of a living child, the employee shall be entitled to such period of paid sick leave or unpaid leave for a period certified as necessary by a registered medical practitioner. Such paid sick leave cannot be taken concurrently with paid parental leave.
 - (g) Where a pregnant employee not on parental leave suffers illness related to the pregnancy or is required to undergo a pregnancy related medical procedure the employee may take any paid sick leave to which the employee is entitled or unpaid leave for a period as certified necessary by a registered medical practitioner.
- (7) Notice and Variation
 - (a) An employee shall give not less than four (4) weeks notice in writing to the employer of the date the employee proposes to commence paid or unpaid parental leave stating the period of leave to be taken.
 - (b) An employee seeking to adopt a child shall not be in breach of paragraph (7)(a) by failing to give the required period of notice if such failure is due to the requirement of the adoption agency to accept earlier or later placement of a child, or other compelling circumstances.
 - (c) An employee proceeding on parental leave may elect to take a shorter period of parental leave and may at any time during that period elect to reduce or extend the period stated in the original application, provided four (4) weeks written notice is provided.
- (8) Transfer to a Safe Job

Where illness or risks arising out of pregnancy or hazards connected with the work assigned to the pregnant employee make it inadvisable for the employee to continue in her present duties, the duties shall be modified or the employee may be transferred to a safe position at the same classification level until the commencement of parental leave.
- (9) Communication during Parental Leave
 - (a) Where an employee is on parental leave and a definite decision has been made to introduce significant change at the workplace, the employer shall take reasonable steps to:
 - (i) make information available in relation to any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave; and
 - (ii) provide an opportunity for the employee to discuss any significant effect the change will have on the status or responsibility level of the position the employee held before commencing parental leave.
 - (b) The employee shall take reasonable steps to inform the employer about any significant matter that will affect the employee's decision regarding the duration of parental leave to be taken, whether the employee intends to return to work and whether the employee intends to return to work on a part-time basis.

- (c) The employee shall also notify the employer of changes of address or other contact details which might affect the employer's capacity to comply with subclause (9)(a).
- (10) Replacement Employee
- Prior to engaging a replacement employee the employer shall inform the person of the temporary nature of the employment and the entitlements relating to the return to work of the employee on parental leave.
- (11) Return to Work
- (a) An employee shall confirm the intention to return to work by notice in writing to the employer not less than four (4) weeks prior to the expiration of parental leave.
 - (b) An employee on return to work from parental leave will be entitled to the same position or a position equivalent in pay, conditions and status and commensurate with the employee's skill and abilities as the substantive position held immediately prior to proceeding on parental leave. Where the employee was transferred to a safe job the employee is entitled to return to the position occupied immediately prior to transfer.
 - (c) An employee may return on a part time or job-share basis to the substantive position occupied prior to the commencement of leave or to a different position at the same classification level in accordance with Clause 9. – Part-Time Employment of this Award.
 - (d) Employees who return to work on a part time basis have access to the right of reversion provisions of Clause 9. – Part-Time Employment of this Award.
- (12) Effect of Parental Leave on the Contract of Employment
- (a) An employee employed for a fixed term contract shall have the same entitlement to parental leave, however the period of leave granted shall not extend beyond the term of that contract.
 - (b) Paid parental leave will count as qualifying service for all purposes of this Award. During paid parental leave at half pay all entitlements will accrue as if the employee had taken the entitlement to paid parental leave at full pay.
 - (c) Absence on unpaid parental leave shall not break the continuity of service of employees but shall not be taken into account in calculating the period of service for any purpose of this Award.
 - (d) An employee on parental leave may terminate employment at any time during the period of leave by written notice in accordance with subclause (2) - Termination of Employment of clause 7. – Contract of Service of this Award.
 - (e) An employer shall not terminate the employment of an employee on the grounds of the employee's application for parental leave or absence on parental leave but otherwise the rights of the employer in respect of termination of employment are not affected.

24. - LEAVE WITHOUT PAY

- (1) Subject to the provisions of subclauses (2) and (3) of this clause, the employer may grant an employee leave without pay for any period and is responsible for that employee on their return.
- (2) Subject to the provisions of subclause (3) every application for leave without pay will be considered on its merits and may be granted provided that the following conditions are met:
 - (a) The work of the department is not inconvenienced; and
 - (b) All other leave credits of the employee are exhausted.

- (3) An employee shall, upon request be entitled to two days unpaid personal (caring) leave.
- (4) A temporary officer or an officer on a fixed term appointment may not be granted leave without pay for any period beyond that officer's approved period of engagement.
- (5) Leave Without Pay for Full Time Study

The employer may grant an officer leave without pay to undertake full time study, subject to a yearly review of satisfactory performance.

- (a) The course of study is directly related to the officers' official duties; or
- (b) The course is not available on a part-time basis; or
- (c) There is an identified shortage of individuals with skills in the area addressed by the particular course of study; or
- (d) It is critical to the continued operation of the department for the officer to undertake the particular course of study.

Leave without pay for this purpose shall not count as qualifying service for leave purposes.

- (6) Leave Without Pay for Australian Institute of Sport Scholarships

Subject to the provisions of subclause (2) of this clause, the employer may grant an officer who has been awarded a sporting scholarship by the Australian Institute of Sport, leave without pay.

Leave without pay for this purpose shall count as qualifying service for all purposes except annual leave.

25. - STUDY LEAVE

- (1) Conditions for Granting Time Off

- (a) An officer may be granted time off with pay for part-time study purposes at the discretion of the employer.
- (b) Part-time officers are entitled to study leave on the same basis as full time officers.
- (c) Time off with pay may be granted up to a maximum of five hours per week including travelling time, where subjects of approved courses are available during normal working hours, or where approved study by correspondence is undertaken, in remote locations lacking the required educational facilities.
- (d) External students based in remote locations, who are obliged to attend educational institutions for compulsory sessions during vacation periods, may be granted time off with pay including travelling time up to the maximum annual amount allowed to an officer in the metropolitan area.
- (e) Officers shall be granted sufficient time off with pay to travel to and sit for the examinations of any approved course of study.
- (f) In every case the approval of time off to attend lectures and tutorials will be subject to:
 - (i) departmental convenience;
 - (ii) the course being undertaken on a part-time basis;

- (iii) officers undertaking an acceptable formal study load in their own time;
 - (iv) officers making satisfactory progress with their studies; and
 - (v) the course being relevant to the officer's career in the Service and being of value to the State.
- (g) A service agreement or bond will not be required.
- (2) Payment of Fees
- (a) Departments are to meet the payment of higher education administrative charges for cadets and trainees who, as a condition of their employment, are required to undertake studies at a University or College of Advanced Education. Officers who of their own volition attend such institutions to gain higher qualifications will be responsible for the payment of fees.
 - (b) This assistance does not include the cost of text books or Guild and Society fees.
 - (c) An officer who is required to repeat a full academic year of the course will be responsible for payment of the higher education fees for that particular year.
- (3) Approved Courses
- (a)
 - (i) First degree courses at the University of Western Australia, Murdoch University and Curtin University of Technology.
 - (ii) First degree or Associate Diploma courses at a college of advanced education.
 - (iii) Diploma courses at Technical and Further Education (TAFE).
 - (iv) Two year full time Certificate courses at (TAFE).
 - (v) Courses recognised by the National Authority for the Accreditation of Translators and Interpreters (NAATI) in a language relevant to the needs of the Public Sector. Further information on levels of accreditation and language study options is contained in the Public Service Commission's "Public Sector Language Services Strategy" document.
 - (b) Except as outlined in paragraph (3)(d) of this clause, officers are not eligible for study assistance if they already possess one of the qualifications specified in subparagraphs (3)(a)(i) and (3)(a)(ii) of this clause.
 - (c) An officer who has completed a Diploma through TAFE is eligible for study assistance to undertake a degree course at any of the tertiary institutions listed in subparagraph (3)(a)(i) or (3)(a)(ii) of this clause. An officer who has completed a two year full time Certificate through TAFE is eligible for study assistance to undertake a Diploma course specified in subclause (3)(a)(iii) or a degree or Associate Diploma course specified in subparagraph (3)(a)(i) or (3)(a)(ii) of this clause.
 - (d) Assistance towards additional qualifications including second or higher degrees may be granted in special cases such as a graduate embarking on a post-graduate Diploma in Administration or a Masters Degree in Business Administration or a higher degree in a specialist area of benefit to the Service as well as the officer.
- (4) (a) An acceptable part-time study load should be regarded as not less than five hours per week of formal tuition with at least half of the total formal study commitment being undertaken in the officer's own time, except in special cases such as where the officer is in the final year of study and requires less time to complete the course, or the officer is undertaking the recommended part-time year or stage and this does not entail five hours formal study.

- (b) A first degree or Associate Diploma course does not include the continuation of a degree or Associate Diploma towards a higher post graduate qualification.
 - (c) In cases where officers are studying subjects which require fortnightly classes the weekly study load should be calculated by averaging over two weeks the total fortnightly commitment.
 - (d) In departments which are operating on flexi-time, time spent attending or travelling to or from formal classes for approved courses between 8.15 am and 4.30 pm, less the usual lunch break, and for which "time off" would usually be granted, is to be counted as credit time for the purpose of calculating total hours worked per week.
 - (e) Travelling time returning home after lectures or tutorials is to be calculated as the excess time taken to travel home from such classes, compared with the time usually taken to travel home from the officer's normal place of work.
 - (f) An officer shall not be granted more than 5 hours time off with pay per week except in exceptional circumstances where the employer may decide otherwise.
 - (g) Time off with pay for those who have failed a unit or units may be considered for one repeat year only.
- (5) Subject to the provisions of subclause (6) of this clause, the employer may grant an officer full time study leave with pay to undertake:
- (a) Post graduate degree studies at Australian or overseas tertiary education institutions; or
 - (b) Study tours involving observations and/or investigations; or
 - (c) A combination of post graduate studies and study tour.
- (6) Applications for full time study leave with pay are to be considered on their merits and may be granted provided that the following conditions are met:
- (a) The course or a similar course is not available locally. Where the course of study is available locally, applications are to be considered in accordance with the provisions of subclause (1) to (5) of this Clause and Clause 24. - Leave Without Pay of this Award.
 - (b) It must be a highly specialised course with direct relevance to the officer's profession.
 - (c) It must be highly relevant to the department's corporate strategies and goals.
 - (d) The expertise or specialisation offered by the course of study should not already be available through other officers employed within the department.
 - (e) If the applicant was previously granted study leave, studies must have been successfully completed at that time. Where an officer is still under a bond, this does not preclude approval being granted to take further study leave if all the necessary criteria are met.
 - (f) A temporary officer may not be granted study leave with pay for any period beyond that officer's approved period of engagement.
- (7) Full time study leave with pay may be approved for more than 12 months subject to a yearly review of satisfactory performance.
- (8) Where an outside award is granted and the studies to be undertaken are considered highly desirable by a department, financial assistance to the extent of the difference between the officer's normal salary and the value of the award may be considered. Where no outside award is granted and where a request meets all the necessary criteria then part or full payment of salary may be approved at the discretion of the employer.

- (9) Employer supports recipients of coveted awards and fellowships by providing study leave with pay. Recipients normally receive as part of the award or fellowship; return airfares, payment of fees, allowance for books, accommodation or a contribution towards accommodation.
- (10) Where recipients are in receipt of a living allowance, this amount should be deducted from the officer's salary for that period.
- (11) Where the employer approves full time study leave with pay the actual salary contribution forms part of the department's approved average staffing level funding allocation. Departments should bear this in mind if considering temporary relief.
- (12) Where study leave with pay is approved and the department also supports the payment of transit costs and/or an accommodation allowance, approval for the transit and accommodation costs is required as follows:
 - Interstate - Ministerial approval
 - Overseas - Premier's approval
- (13) Where officers travelling overseas at their own expense wish to participate in a study tour or convention whilst on tour, study leave with pay may be approved by the employer together with some local transit and accommodation expenses providing it meets the requirements of subclause (6) of this clause. Each case is to be considered on its merits.
- (14) The period of full time study leave with pay is accepted as qualifying service for leave entitlements and other privileges and conditions of service prescribed for officers under this Award.

26. - SHORT LEAVE

- (1) (a) A employer may, upon sufficient cause being shown, grant an officer short leave on full pay not exceeding 15 consecutive working hours, but any leave granted under the provisions of this clause shall not exceed, in the aggregate, 22½ hours in any one calendar year.
- (b) The provisions of this clause also apply to any temporary officer who has completed at least 12 months of continuous service in the Public Service in a temporary capacity.
- (c) Part-time officers are eligible for short leave in accordance with this clause, on a pro rata basis calculated in accordance with the following formula:

$$\frac{\text{Hours worked per fortnight}}{75} \times 22.5 \text{ hours}$$
- (d) An officer employed on a fixed term contract of more than twelve months shall be eligible for short leave in accordance with this clause, and an officer employed on a fixed term contract of less than twelve months shall be eligible for pro rata short leave in accordance with this clause.
- (2) Subject to the prior approval of the supervisor, officers located outside a radius of fifty (50) kilometres from the Perth Railway Station shall be allowed Short Leave where pressing personal matters can only be dealt with within the required hours of duty.

27. - LEAVE TO ATTEND UNION BUSINESS

- (1) The employer shall grant paid leave at the ordinary rate of pay during normal working hours to an officer:
 - (a) who is required to give evidence before any Industrial Tribunal;

- (b) who as a union-nominated representative is required to attend negotiations and/or conferences between the union and the department;
 - (c) when prior agreement between the union and the department has been reached for the officer to attend official union meetings preliminary to negotiations or industrial hearings; and
 - (d) who as a union-nominated representative is required to attend joint union/management consultative committees or working parties.
- (2) The granting of leave is subject to departmental convenience and shall only be approved:
- (a) where reasonable notice is given for the application for leave;
 - (b) for the minimum period necessary to enable the union business to be conducted or evidence to be given; and
 - (c) for those officers whose attendance is essential.
- (3) The employer shall not be liable for any expenses associated with an officer attending to union business.
- (4) Leave of absence granted under this clause shall include any necessary travelling time in normal working hours.
- (5) An officer shall not be entitled to paid leave to attend to union business other than as prescribed by this Clause.
- (6) The provisions of the Clause shall not apply to:
- (a) special arrangements made with the union which provide for unpaid leave for officers to conduct union business;
 - (b) when an officer is absent from work without the approval of the employer; and
 - (c) casual officers.

28. - TRADE UNION TRAINING LEAVE

- (1) Subject to departmental convenience, paid leave of absence shall be granted by the employer to officers who are nominated by their union to attend short courses or seminars as from time to time approved by agreement between the Department of Productivity and Labour Relations, employer and the relevant union.
- (2) An officer shall be granted up to a maximum of five (5) days paid leave per calendar year for trade union training or similar courses or seminars as approved. However, leave of absence in excess of five (5) days and up to ten (10) days may be granted in any one calendar year provided that the total leave being granted in that year and in the subsequent year does not exceed ten (10) days.
- (3) (a) Leave of absence will be granted at the ordinary rate of pay and shall not include shift allowances, penalty rates or overtime.
- (b) Where a Public Holiday, Public Service Holiday or rostered day off falls during the duration of a course, a day off in lieu of that day will not be granted.
- (c) Subject to paragraph (3)(a) of this clause, shift workers attending a course shall be deemed to have worked the shifts they would have worked had leave not been taken to attend the course.

- (d) Part-time officers shall receive the same entitlement as full time officers, but payment shall only be made for those hours that would normally have been worked but for the leave.
- (4) (a) Any application by an officer shall be submitted to the employer for approval at least four weeks before the commencement of the course unless the chief executive office agrees otherwise.
- (b) All applications for leave shall be accompanied by a statement from the union indicating that the officer has been nominated for the course. The application shall provide details as to the subject, commencement date, length of course, venue and the authority which is conducting the course.
- (5) A qualifying period of twelve months service shall be served before an officer is eligible to attend courses or seminars of more than a half day duration. The employer may, where special circumstances exist, approve an application to attend a course or seminar where an officer has less than twelve months service.
- (6) (a) The department shall not be liable for any expenses associated with an officer's attendance at trade union training courses.
- (b) Leave of absence granted under this clause shall include any necessary travelling time in normal working hours immediately before or after the course.

29. - LEAVE FOR TRAINING WITH DEFENCE FORCE RESERVES

- (1) Subject to departmental convenience, leave of absence may be granted by the employer to an officer who is a volunteer member of the Defence Force Reserves or the Cadet Force for the purpose of attending a training camp, school, class or course of instruction subject to the conditions set out hereunder.
 - (a) Application for leave of absence for the above reasons, shall, in all cases, be accompanied by evidence of the necessity for attendance. At the expiration of the leave of absence granted, the officer shall furnish a certificate of attendance to the employer.
 - (b) An officer who is a member of the Defence Force Reserves and the Cadet Force may only be granted leave for attendance at one camp of continuous training and one additional special school, class or course of instruction in the 12 month period.
 - (c) On written application, an officer shall be paid salary in advance when proceeding on such leave.
- (2) Attendance at a Camp for Annual Continuous Obligatory Training
 - (a) An officer may be granted leave for a period not exceeding 75 hours on full pay in any period of twelve months commencing on July 1, in each year.
 - (b) If the Officer-in-Charge of a military unit certifies that it is essential for an officer to be at the camp in an advance or rear party, a maximum of 30 extra hours on full pay may be granted in the twelve month period.
- (3) Attendance at One Special School, Class or Course of Instruction
 - (a) In addition to the leave granted under subclause (2) of this clause a period not to exceed sixteen calendar days in any period of twelve months commencing on July 1, in each year may be granted by the employer, provided the employer is satisfied that the leave required is for a special purpose, and not for a further routine camp.
 - (b) In this circumstance, an officer may elect to utilise annual leave credits. However, if the leave is not taken from annual leave, salary during the period shall be at the rate of the difference

between the normal remuneration of the officer as a public servant and the defence force payments to which the officer is entitled if such payments do not exceed normal salary. In calculating the pay differential, pay for Saturdays, Sundays, Public Holidays and Public Service Holidays and special rostered days off is to be excluded, and no account is to be taken of the value of any board or lodging provided for the officer.

- (c) Leave without pay shall be granted if the defence force payments exceed the normal pay of the officer.
- (4) The provisions of this clause do not apply to casual officers.
- (5) Part-time officers shall receive the same entitlement as full time officers, but payment shall only be made for those hours that would normally have been worked but for the leave.

30. - CAMPING ALLOWANCE

- (1) For the purposes of this clause the following expressions shall have the following meaning:

"Camp of a permanent nature" means single room accommodation in skid mounted or mobile type units, caravans, or barrack type accommodation where the following are provided in the camp -

- Water is freely available;
- Ablutions including a toilet, shower or bath and, laundry facilities;
- Hot water system;
- A kitchen, including a stove and table and chairs, except in the case of a caravan equipped with its cooking and messing facilities;
- An electricity or power supply, and
- Beds and mattresses except in the case of caravans containing sleeping accommodation.

For the purpose of this definition caravans located in caravan parks or other locations where the above are provided shall be deemed a camp of a permanent nature.

"House" means a house, duplex or cottage including transportable type accommodation which are self contained and in which the facilities prescribed for "camp of a permanent nature" are provided.

"Other than a permanent camp" means a camp where any of the above are not provided.

- (2) An officer, who is stationed in a camp of a permanent nature, shall be paid the appropriate allowance prescribed by Item (1) or Item (2) of Schedule C for each day spent camping.
- (3) An officer who is stationed in a camp - other than a permanent camp - or is required to camp out, shall be paid the appropriate allowance prescribed by Item (3) or Item (4) of Schedule C. - Camping Allowance for each day spent camping.
- (4) Officers who occupy a house shall not be entitled to allowances prescribed by this Clause.
- (5) Officers accommodated at a government institution, hostel or similar establishment shall not be entitled to allowances prescribed by this clause.
- (6) Where an officer is provided with food and/or meals by the department free of charge, then the officer shall only be entitled to receive half the appropriate allowance to which the officer would otherwise be entitled for each day spent camping.

- (7) (a) An officer shall not be entitled to receive an allowance under this Award for periods in excess of 91 consecutive days unless the Employer otherwise determines. Provided that where an officer is reimbursed under the provisions of Clause 42. - Travelling Allowance of this award, then such periods shall be included for the purposes of determining the 91 consecutive days.
- (b) Employer in reviewing any claim under this subclause may determine an allowance other than what is contained in Schedule C - Camping Allowance.
- (8) When camping, an officer shall be paid the allowance on Saturdays and Sundays if available for work immediately preceding and succeeding such days and no deduction shall be made under these circumstances when an officer does not spend the whole or part of the weekend in camp, unless the officer is reimbursed under the provisions of Clause 42. - Travelling Allowance of this Award.
- (9) This clause shall be read in conjunction with Clauses 38. - Relieving Allowance, 41. - Transfer Allowance and 42. - Travelling Allowance of this Award for the purpose of paying allowances, and camping allowance shall not be paid for any period in respect of which travelling, transfer or relieving allowances are paid. Where portions of a day are spent camping, the formula contained in Clause 42. - Travelling Allowance of this Award shall be used for calculating the portion of the allowance to be paid for that day.
- For the purposes of this subclause arrival at headquarters shall mean the time of actual arrival at camp. Departure from headquarters shall mean the time of actual departure from camp or the time of ceasing duty in the field subsequent to breaking camp, whichever is the latter.
- (10) Officers in receipt of an allowance under this clause shall not be entitled to receive the incidental allowance prescribed by Clause 42. - Travelling Allowance of this Award.
- (11) Whenever an officer provided with a caravan is obliged to park the caravan in a caravan park he or she shall be reimbursed the rental charges paid to the authority controlling the caravan park, in addition to the payment of camping allowance.
- (12) Where an officer, who is not supplied with camping equipment by the department, hires such equipment as is reasonable and necessary, he or she shall be reimbursed such hire charges, in addition to the payment of camping allowances.

31. - DISTRICT ALLOWANCE

- (1) For the purposes of this clause the following terms shall have the following meanings:
- "Dependant" in relation to an officer means:
- (a) a spouse; or
- (b) where there is no spouse, a child or any other relative resident within the State who rely on the officer for their main support;
- who does not receive a district or location allowance of any kind.
- "Partial dependant" in relation to an officer (for the purpose of district allowance) means:
- (c) a spouse; or
- (d) where there is no spouse, a child or any other relative resident within the State who rely on the officer for their main support;
- who receives a district or location allowance of any kind less than that applicable to an officer without dependants under any award, agreement or other provision regulating the employment of the partial dependant.

"Spouse" means an officer's spouse including defacto spouse.

(2) Boundaries

For the purpose of Schedule D. - District Allowance of this Award, the boundaries of the various districts shall be as described hereunder and as delineated on the plan in Schedule D. - District Allowance to this Award.

District:

- (i) The area within a line commencing on the coast; thence east along lat 28 to a point north of Tallering Peak, thence due south to Tallering Peak; thence southeast to Mt Gibson and Burracoppin; thence to a point southeast at the junction of lat 32 and long 119; thence south along long 119 to coast.
 - (ii) That area within a line commencing on the south coast at long 119 then east along the coast to long 123; then north along long 123 to a point on lat 30; thence west along lat 30 to the boundary of No 1 District.
 - (iii) The area within a line commencing on the coast at lat 26; thence along lat 26 to long 123; thence south along long 123 to the boundary of No 2 District.
 - (iv) The area within a line commencing on the coast at lat 24; thence east to the South Australian border; thence south to the coast; thence along the coast to long 123 thence north to the intersection of lat 26; thence west along lat 26 to the coast.
 - (v) That area of the State situated between the lat 24 and a line running east from Carnot Bay to the Northern Territory Border.
 - (vi) That area of the State north of a line running east from Carnot Bay to the Northern Territory Border.
- (3)
- (a) An officer shall be paid a district allowance at the standard rate prescribed in Column II of Schedule D. - District Allowance of this Award, for the district in which the officer's headquarters is located. Provided that where the officer's headquarters is situated in a town or place specified in Column III of Schedule D.- District Allowance of this award, the officer shall be paid a district allowance at the rate appropriate to that town or place as prescribed in Column IV of the said schedule.
 - (b) An officer who has a dependant shall be paid double the district allowance prescribed by paragraph (3)(a) of this clause for the district, town, or place in which the officer's headquarters is located.
 - (c) Where an officer has a partial dependant the total district allowance payable to the officer shall be the district allowance prescribed by paragraph (3)(a) of this clause plus an allowance equivalent to the difference between the rate of district or location allowance the partial dependant receives and the rate of district or location allowance the partial dependant would receive if he or she was employed in a full time capacity under the Award, Agreement or other provision regulating the employment of the partial dependant.
 - (d) When an officer is on approved annual recreational leave, the officer shall for the period of such leave, be paid the district allowance to which he or she would ordinarily be entitled.
 - (e) When an officer is on long service leave or other approved leave with pay (other than annual recreational leave), the officer shall only be paid district allowance for the period of such leave if the officer, dependant/s or partial dependant/s remain in the district in which the officer's headquarters are situated.
 - (f) When an officer leaves his or her district on duty, payment of any district allowance to which the officer would ordinarily be entitled shall cease after the expiration of two weeks unless the

officer's dependant/s or partial dependant/s remain in the district or as otherwise approved by the Employer.

- (g) Except as provided in paragraph (3)(f) of this clause, a district allowance shall be paid to any officer ordinarily entitled thereto in addition to reimbursement of any travelling, transfer or relieving expenses or camping allowance.
- (h) Where an officer whose headquarters is located in a district in respect of which no allowance is prescribed in Schedule D. - District Allowance of this Award, is required to travel or temporarily reside for any period in excess of one month in any district or districts in respect of which such allowance is so payable, then notwithstanding the officer's entitlement to any such allowance provided by Clause 30. - Camping Allowance, Clause 38. - Relieving Allowance, Clause 40. - Sea Going Allowance and Clause 42. - Travelling Allowance of this award the officer shall be paid for the whole of such a period a district allowance at the appropriate rate prescribed by paragraphs (3)(a), (3)(b) or (3)(c) of this clause, for the district in which the officer spends the greater period of time.
- (i) When an officer is provided with free board and lodging by the employer or a public authority the allowance shall be reduced to two-thirds of the allowance the officer would ordinarily be entitled to under this clause.

(4) Part Time Officers

An officer who is employed on a part time basis shall be paid a proportion of the appropriate district allowance payable in accordance with the following formula:

Hours worked per fortnight 75 x Appropriate District Allowance 1

(5) Adjustment of Rates

The rates expressed in Schedule D. - District Allowance of this Award shall be adjusted administratively every twelve (12) months, effective from the first pay period to commence on or after the first day of July in each year, in accordance with the official Consumer Price Index (CPI) for Perth, as published for the preceding 12 months at the end of the March quarter by the Australian Bureau of Statistics.

Provided that, as agreed between the parties, the (CPI) for the March 1992 quarter shall be discounted by 1.03%.

The rates agreed, in accordance with the above formula, by the parties shall then be lodged with the Registrar of the Western Australian Industrial Relations Commission.

32. - DISTURBANCE ALLOWANCE

- (1) Where an officer is transferred and incurs expenses in the areas referred to in subclause (2) of this clause as a result of that transfer then the officer shall be granted a disturbance allowance and shall be reimbursed by the department the actual expenditure incurred upon production of receipts or such other evidence as may be required.
- (2) The disturbance allowance shall include:
 - (a) Costs incurred for telephone installation at the officer's new residence provided that the cost of telephone installation shall be reimbursed only where a telephone was installed at the officer's former residence including departmental accommodation.
 - (b) Costs incurred with the connection or reconnection of services to the officer's household including departmental accommodation for water, gas or electricity.

- (c) costs incurred with the redirection of mail to the officer's new residence for a period of no more than three months.

33. - DIVING ALLOWANCE

- (1) An officer who undertakes diving as part of his or her official duties or as a special duty which is sanctioned by the Employer of his or her department shall be paid an allowance as prescribed in Schedule K. - Diving, Flying and Seagoing Allowance for such diving. This allowance shall be in addition to any other payment for duties performed.

Provided that such allowance shall be paid only to an officer engaged on diving when self-contained underwater breathing apparatus or deep sea diving equipment is used.

34. - FLYING ALLOWANCE

An officer who in the course of his or her official duties is required to fly in an aircraft other than those used in public air services, shall be paid an allowance as prescribed in Schedule K. - Diving, Flying and Seagoing Allowances of this award for the following duties:

- (a) Observation and photographic duties, in a fixed wing aircraft.
- (b) Cloud seeding and fire bombing duties, observation and photographic duties involving operations in which fixed wing aircraft are used at heights of less than 304 metres or in unpressurised aircraft at heights of more than 3048 metres.
- (c) When required to fly in a helicopter on fire bombing duties, observation and photographic duties or stock surveillance.

35. - MOTOR VEHICLE ALLOWANCE

For the purposes of this clause the following expressions shall have the following meanings:

- (1)
 - (a) "A year" means 12 months commencing on the 1st day of July and ending on the 30th day of June next following.
 - (b) "Metropolitan area" means that area within a radius of 50 kilometres from the Perth City Railway Station.
 - (c) "South West land division" means the South West land division as defined by section 28 of the Land Act, 1933-1972 excluding the area contained within the metropolitan area.
 - (d) "Rest of the State" means that area south of 23.5 degrees south latitude, excluding the metropolitan area and the South West land division.
 - (e) "Term of Employment" means a requirement made known to the officer at the time of applying for the position by way of publication in the advertisement for the position, written advice to the officer contained in the offer for the position or oral communication at interview by an interviewing officer and such requirement is accepted by the officer either in writing or orally.
 - (f) "Qualifying Service" shall include all service in positions where there is a requirement as a term of employment to supply and maintain a motor vehicle for use on official business but shall exclude all absences which effect entitlements as provided by the schedule attached to Public Service Board Administrative Instruction 610.

- (2) Allowance for Officers required to supply and maintain a vehicle as a term of employment:
- (a) An officer who is required to supply and maintain a motor vehicle for use when travelling on official business as a term of employment shall be reimbursed in accordance with the appropriate rates set out in Schedule E. - Motor Vehicle Allowance for journeys travelled on official business and approved by the Employer.
 - (b) An officer who is reimbursed under the provisions of paragraph (2)(a) will also be subject to the following conditions:-
 - (i) For the purposes of subclause (2) an officer shall be reimbursed with the appropriate rates set out in Schedule E. - Motor Vehicle Allowance for the distance travelled from the officer's residence to the place of duty and for the return distance travelled from place of duty to residence except on a day where the officer travels direct from residence to headquarters and return and is not required to use the vehicle on official business during the day.
 - (ii) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate applicable to each of the areas traversed as set out in Schedule E. - Motor Vehicle Allowance
 - (iii) Where an officer does not travel in excess of 4000 kilometres in a year an allowance calculated by multiplying the appropriate rate per kilometre by the difference between the actual distance travelled and 4000 kilometres shall be paid to the officer provided that where the officer has less than 12 months qualifying service in the year then the 4000 kilometre distance will be reduced on a pro rata basis and the allowance calculated accordingly.
 - (iv) Where a part-time officer is eligible for the payment of an allowance under subparagraph (iii) of this subclause such allowance shall be calculated on the proportion of total hours worked in that year by the officer to the annual standard hours had the officer been employed on a full time basis for the year.
 - (v) An officer who is required to supply and maintain a motor vehicle for use on official business is excused from this obligation in the event of his/her vehicle being stolen, consumed by fire, or suffering a major and unforeseen mechanical breakdown or accident, in which case all entitlement to reimbursement ceases while the officer is unable to provide the motor vehicle or a replacement.
 - (vi) The Employer may elect to waive the requirement that an officer supply and maintain a motor vehicle for use on official business, but three months written notice of the intention so to do shall be given to the officer concerned.
- (3) Allowance for officers relieving officers subject to subclause (2) of this clause
- (a) An officer not required to supply and maintain a motor vehicle as a term of employment who is required to relieve an officer required to supply and maintain a motor vehicle as a term of employment shall be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule E. - Motor Vehicle Allowance for all journeys travelled on official business and approved by the Employer where the officer is required to use his/her vehicle on official business whilst carrying out the relief duties.
 - (b) For the purposes of paragraph (3)(a) of this clause an officer shall be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule E. - Motor Vehicle Allowance for the distance travelled from the officer's residence to place of duty and the return distance travelled from place of duty to residence except on a day where the officer travels direct from residence to headquarters and return and is not required to use the vehicle on official business during the day.

- (c) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate applicable to each of the areas traversed as set out in Schedule E. - Motor Vehicle Allowance
 - (d) For the purpose of this subclause the allowance provided in subparagraphs (2)(b)(iii) and (iv) of this clause shall not apply.
- (4) Allowance for other officers using vehicle on official business.
- (a) An officer who is not required to supply and maintain a motor vehicle for use when travelling on official business as a term of employment, but when requested by the Employer voluntarily consents to use the vehicle shall for journeys travelled on official business approved by the Employer be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule F. - Motor Vehicle Allowance and Schedule G. - Motor Cycle Allowance
 - (b) For the purpose of paragraph (4)(a) of this clause an officer shall not be entitled to reimbursement for any expenses incurred in respect to the distance between the officer's residence and headquarters and the return distance from headquarters to residence.
 - (c) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate if applicable to each of the areas traversed as set out in Schedule F. - Motor Vehicle Allowance.
- (5) Allowance for towing Departmental caravan or trailer.

In case where officers are required to tow departmental caravans on official business, the additional rate shall be 6.0 cents per kilometre. When departmental trailers are towed on official business the additional rate shall be 3.5 cents per kilometre.

- (6) Special Conditions.

Notwithstanding the provisions of Clause 5. - Term of Award of this Award where the cost of vehicles and petrol increase or decrease such that a corresponding increase or decrease in the allowance provided for a vehicle over 1600cc in the metropolitan area would amount to 0.1 of a cent or greater then the parties agree that the allowance shall be increased or decreased accordingly.

36. - PROPERTY ALLOWANCE

- (1) For the purposes of this clause the following expressions shall have the following meanings:
- (a) "Agent" means a person carrying on business as an estate agent in a State or Territory of the Commonwealth, being, in a case where the law of that State or Territory provides for the registration or licensing of persons who carry on such a business, a person duly registered or licensed under that law.
 - (b) "Dependant" in relation to an officer means:
 - (i) spouse including defacto spouse;
 - (ii) child/children; or
 - (iii) other dependant family;who resides with the officer and who relies on the officer for support.
 - (c) "Expenses" in relation to an officer means all costs incurred by the officer in the following areas:

- (i) Legal fees in accordance with the Solicitor's Remuneration Order, 1976 as amended and varied, duly paid to a solicitor or in lieu thereof fees charged by a settlement agent for professional costs incurred in respect of the sale or purchase, the maximum fee to be claimed shall be as set out under item 8 of the above order.
 - (ii) Disbursements duly paid to a solicitor or a settlement agent necessarily incurred in respect of the sale or purchase of the residence.
 - (iii) Real Estate Agent's Commission in accordance with that fixed by the Real Estate and Business Agents Supervisory Board, acting under Section 61 of the Real Estate and Business Agents Act, 1978, duly paid to an agent for services rendered in the course of and incidental to the sale of the property, the maximum fee to be claimed shall be fifty percent (50%) as set out under Items 1 or 2 - Sales by Private Treaty or Items 1 or 2 - Sales by Auction of the Maximum Remuneration Notice
 - (iv) Stamp Duty.
 - (v) Fees paid to the Registrar of Titles or to the officer performing duties of a like nature and for the same purpose in another State or Territory of the Commonwealth.
 - (vi) Expenses relating to the execution or discharge of a first mortgage.
 - (vii) The amount of expenses reasonably incurred by the officer in advertising the residence for sale.
- (d) "Locality" in relation to an officer means:
- (i) Within the metropolitan area, that area within a radius of fifty (50) kilometres from the Perth City Railway Station, and
 - (ii) Outside the metropolitan area, that area within a radius of fifty (50) kilometres from an officer's headquarters when they are situated outside of the metropolitan area.
- (e) "Property" shall mean a residence as defined in this clause including a block of land purchased for the purpose of erecting a residence thereon to the extent that it represents a normal urban block of land for the particular locality.
- (f) "Residence" includes any accommodation of a kind commonly known as a flat or a home unit that is, or is intended to be, a separate tenement including dwelling house, and the surrounding land, exclusive of any other commercial property, as would represent a normal urban block of land for the particular locality.
- (g) "Settlement Agent" means a person carrying on business as settlement agent in a State or Territory of the Commonwealth, being, in a case where the law of that State or Territory provides for the registration or licensing of persons who carry on such a business, a person duly registered or licensed under the law.
- (2) When an officer is transferred from one locality to another in the public interest or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, the officer shall be entitled to be paid a property allowance for reimbursement of expenses incurred by the officer -
- (a) In the sale of residence in the officer's former locality, which, at the date on which the officer received notice of transfer to a new locality:-
 - (i) the officer owned and occupied; or
 - (ii) the officer was purchasing under a contract of sale providing for vacant possession; or

- (iii) the officer was constructing for the officer's own permanent occupation, on completion of construction; and
 - (b) In the purchase of a residence or land for the purpose of erecting a residence thereon for the officer's own permanent occupation in the new locality.
- (3) An officer shall be reimbursed such following expenses as are incurred in relation to the sale of a residence:
 - (a) If the officer engaged an agent to sell the residence on the officer's behalf - 50 percent of the amount of the commission paid to the agent in respect of the sale of the residence;
 - (b) if a solicitor was engaged to act for the officer in connection with the sale of the residence - the amount of the professional costs and disbursements necessarily incurred and paid to the solicitor in respect of the sale of the residence;
 - (c) if the land on which the residence is created was subject to a first mortgage and that mortgage was discharged on the sale, then an officer shall, if, in a case where a solicitor acted for the mortgagee in respect of the discharge of the mortgage and the officer is required to pay the amount of professional costs and disbursements necessarily incurred by the mortgagee in respect of the discharge of the mortgage - the amount so paid by the officer;
 - (d) if the officer did not engage an agent to sell the residence on his or her behalf - the amount of the expenses reasonably incurred by the officer in advertising the residence for sale.
- (4) An officer shall be reimbursed such following expenses as are incurred in relation to the purchase of a residence:
 - (a) if a solicitor or settlement agent was engaged to act for the officer in connection with the purchase of the residence - the amount of the professional costs and disbursements necessarily incurred are paid to the solicitor or settlement agent in respect of the purchase of the residence;
 - (b) if the officer mortgaged the land on which the residence was erected in conjunction with the purchase of the residence, then an officer shall, if, in a case where a solicitor acted for the mortgagee and the officer is required to pay and has paid the amount of the professional costs and disbursements (including valuation fees but not a procuracy fee payable in connection with the mortgage) necessarily incurred by the mortgagee in respect of the mortgage - the amount so paid by the officer;
 - (c) if the officer did not engage a solicitor or settlement agent to act for the officer in connection with the purchase or such a mortgage - the amount of the expenses reasonably incurred by the officer in connection with the purchase or the mortgage, as the case may be, other than a procuracy fee paid by the officer in connection with the mortgage.
- (5) An officer is not entitled to be paid a property allowance under paragraph (2)(b) of this clause unless the officer is entitled to be paid a property allowance under paragraph (2)(a) of this clause, provided that the Employer may approve the payment of a property allowance under paragraph (2)(b) of this clause to an officer who is not entitled to be paid a property allowance under paragraph (2)(a) of this clause if the Employer is satisfied that it was necessary for the officer to purchase a residence or land for the purpose of erecting a residence thereon in the officer's new locality because of the officer's transfer from the former locality.
- (6) For the purpose of this Award it is immaterial that the ownership, sale or purchase is carried out on behalf of an officer who owns solely, jointly or in common with:-
 - (a) the officer's spouse, or
 - (b) a dependant relative, or

- (c) the officer's spouse and a dependant relative.
- (7) Where an officer sells or purchases a residence jointly or in common with another person - not being a person referred to in subclause (6) of this clause the officer shall be paid only the proportion of the expenses for which the officer is responsible.
- (8) An application by an officer for a property allowance shall be accompanied by evidence of the payment by the officer of the expenses, being evidence that is satisfactory to the Employer.
- (9) Notwithstanding the foregoing provisions, an officer is not entitled to the payment of a property allowance -
 - (a) In respect of a sale or purchase prescribed in subclause (2) of this clause which is effected -
 - (i) more than twelve months after the date on which the officer took up duty in the new locality; or
 - (ii) after the date on which the office received notification of being transferred back to the former locality;

Provided that the Employer may, in exceptional circumstances, grant an extension of time for such period as is deemed reasonable.
 - (b) Where the officer is transferred from one locality to another solely at the officer's own request or on account of misconduct.

37. - PROTECTIVE CLOTHING ALLOWANCE

An officer engaged on work which requires the provision of protective clothing shall be:

- (a) Provided with the requisite protective clothing, with the laundering costs for such protective clothing being at the expense of the department; or
- (b) Provided with an annual allowance, as agreed between the Unions and employer, which shall incorporate the cost of purchase and laundry of the requisite protective clothing.

Provided that nothing contained in this clause shall affect the obligations of the department to provide clothing pursuant to the Occupational Safety and Health Act 1984.

38. - RELIEVING ALLOWANCE

An officer who is required to take up duty away from headquarters on relief duty or to perform special duty, and necessarily resides temporarily away from the officer's usual place of residence shall be reimbursed reasonable expenses on the following basis:-

- (1) Where the officer:-
 - is supplied with accommodation and meals free of charge, or
 - is accommodated at a government institution, hostel or similar establishment and supplied with meals,

reimbursement shall be in accordance with the rates prescribed in Column A, Items (1), (2) or (3) of Schedule I. - Travelling, Transfer and Relieving Allowance.
- (2) Where officers are fully responsible for their own accommodation, meals and incidental expenses and hotel or motel accommodation is utilised:-

- (a) For the first forty-two (42) days after arrival at the new locality reimbursement shall be in accordance with the rates prescribed in Column A, Items (4) to (8) of Schedule I. - Travelling, Transfer and Relieving Allowance.
 - (b) For periods in excess of forty-two (42) days after arrival in the new locality reimbursement shall be in accordance with the rates prescribed in Column B, Items (4) to (8) of Schedule I. - Travelling, Transfer and Relieving Allowance for officers with dependants or Column C, Items (4) to (8) of Schedule I. - Travelling, Transfer and Relieving Allowance for other officers: Provided that the period of reimbursement under this subclause shall not exceed forty-nine (49) days without the approval of the Employer.
- (3) Where officers are fully responsible for their own accommodation, meal and incidental expenses and other than hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (9), (10) or (11) of Schedule I. - Travelling, Transfer and Relieving Allowance.
 - (4) If an officer whose normal duties do not involve camp accommodation is required to relieve or perform special duty resulting in a stay at a camp, the officer shall be paid camping allowance for the duration of the period spent in camp, and in addition, shall be paid a lump sum of \$157.00 to cover incidental personal expenses: Provided that an officer shall receive no more than one lump sum of \$157.00 in any one period of three (3) years.
 - (5) Reimbursement of expenses shall not be suspended should an officer become ill whilst on relief duty, provided leave for the period of such illness is approved in accordance with the provisions of this Award and the officer continues to incur accommodation, meal and incidental expenses.
 - (6) When an officer who is required to relieve or perform special duties in accordance with the preamble of this clause is authorised by the Employer to travel to the new locality in the officer's own motor vehicle, reimbursement for the return journey shall be as follows:-
 - (a) Where the officer will be required to maintain a motor vehicle for the performance of the relieving or special duties, reimbursement shall be in accordance with the appropriate rate prescribed by subclause (2) of Clause 35. - Motor Vehicle Allowance of this award.
 - (b) Where the officer will not be required to maintain a motor vehicle for the performance of the relieving or special duties reimbursement shall be on the basis of one half (½) of the appropriate rate prescribed by subclause (2) of Clause 35. - Motor Vehicle Allowance of this award. Provided that the maximum amount of reimbursement shall not exceed the cost of the fare by public conveyance which otherwise would be utilised for such return journey.
 - (7) Where it can be shown by the production of receipts or other evidence that an allowance payable under this clause would be insufficient to meet reasonable additional costs incurred, an appropriate rate of reimbursement shall be determined by the Employer.
 - (8) The provisions of Clause 42. - Travelling Allowance shall not operate concurrently with the provisions of this clause to permit an officer to be paid allowances in respect of both travelling and relieving expenses for the same period: Provided that where an officer is required to travel on official business which involves an overnight stay away from the officer's temporary headquarters the Employer may extend the periods specified in subclause (2) of this clause by the time spent in travelling.
 - (9) An officer who is directed to relieve another officer or to perform special duty away from the officer's usual headquarters and is not required to reside temporarily away from his or her usual place of residence shall, if the officer is not in receipt of a higher duties or special allowance for such work, be reimbursed the amount of additional fares paid by the officer travelling by public transport to and from the place of temporary duty.

39. - REMOVAL ALLOWANCE

- (1) When an officer is transferred in the public interest, or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, the officer shall be reimbursed:-
 - (a) The actual reasonable cost of conveyance of the officer and dependants.
 - (b) The actual cost (including insurance) of the conveyance of an officer's household furniture effects and appliances up to a maximum volume of 35 cubic metres, provided that a larger volume may be approved by the Employer in special cases.
 - (c) An allowance of \$525.00 for accelerated depreciation and extra wear and tear on furniture, effects and appliances for each occasion that an officer is required to transport his or her furniture, effects and appliances provided that the Employer is satisfied that the value of household furniture, effects and appliances moved by the officer is at least \$3,143.00
 - (d) Reimbursement of reasonable expenses in kennelling and transporting of domestic pet or pets up to a maximum amount of \$167.00.

Pets are defined as dogs, cats, birds or other domestic animals kept by the officer or the officer's dependants for the purpose of household enjoyment.

Pets do not include domesticated livestock, native animals nor equine animals.
- (2) An officer who is transferred solely at his or her own request or on account of misconduct must bear the whole cost of removal unless otherwise determined by employer prior to removal.
- (3) An officer shall be reimbursed the full freight charges necessarily incurred in respect of the removal of the officer's motor vehicle. If authorised by the Employer to travel to a new locality in the officer's own motor vehicle, reimbursement shall be as follows:-
 - (a) Where the officer will be required to maintain a motor vehicle for use on official business at the new headquarters, reimbursement for the distance necessarily travelled shall be on the basis of the appropriate rate prescribed by subclause (2) of Clause 35. - Motor Vehicle Allowance of this Award.
 - (b) Where the officer will not be required to maintain a motor vehicle for use on official business at the new headquarters reimbursement for the distance necessarily travelled shall be on the basis of one half (½) of the appropriate rate prescribed by subclause (3) of Clause 35. - Motor Vehicle Allowance of this Award.
- (4) The officer shall, before removal is undertaken obtain quotes from at least two carriers which shall be submitted to the Employer, who may authorise the acceptance of the more suitable: Provided that payment for a volume amount beyond 35 cubic metres by a department is not to occur without the prior written approval of the Employer.
- (5) The Employer may, in lieu of conveyance, authorise payment to compensate for any loss in any case where an officer, with prior approval of the Employer, disposes of his or her household furniture effects and appliances instead of removing them to the new headquarters: Provided that such payments shall not exceed the sum which would have been paid if the officer's household furniture effects and appliances had been removed by the cheapest method of transport available and the volume was 35 cubic metres.
- (6) Where an officer is transferred to government owned or private rental accommodation, where furniture is provided, and as a consequence the officer is obliged to store furniture, the officer shall be reimbursed the actual cost of such storage up to a maximum allowance of \$975.00 per annum. Actual cost is deemed to include the premium for adequate insurance coverage for the value of the furniture stored. An allowance under this subclause shall not be paid for a period in excess of four years without the approval of the employer.
- (7) Receipts must be produced for all sums claimed.

- (8) New appointees to the public service shall be entitled to receive the benefits of this clause if they are required by the employer to participate in any training course prior to being posted to their respective positions in the service. This entitlement shall only be available to officers who have completed their training and who incur costs when moving to their first posting.

40. - SEA GOING ALLOWANCE

- (1) Victualling Allowance - Government Vessels.
- (a) An officer who is required to live on board a vessel and is necessarily absent from his or her usual place of residence overnight, shall be paid a victualling allowance as prescribed in Schedule K. - Diving, Flying and Seagoing Allowance to cover victualling and all incidents of employment other than overtime.
- (b) The daily allowance shall be paid for each day exceeding eight hours spent on board a vessel, provided that one half of the allowance shall be paid for any part of a day not exceeding eight hours.
- (2) Victualling Allowance - Non Government Vessels.
- (a) Charges for victualling levied on an officer when accommodated on other than a government vessel shall be met by the Department and the victualling allowance referred to in subclause (1) of this clause shall not be payable.
- (b) Subject to the decision of the Employer that the difficulties of living on board the non government vessel are greater than those normally encountered on a government vessel, an allowance as prescribed in Schedule K. - Diving, Flying and Seagoing Allowance for each occasion on which the officer is accommodated overnight, shall be paid.
- (3) Hard Living Allowance - All Vessels.
- To compensate for difficulties associated with living in small vessels at sea an allowance as prescribed in Schedule K. - Diving, Flying and Seagoing Allowance shall be paid to officers for every hour spent at sea in excess of 36 consecutive hours on a single trip.
- (4) An officer in receipt of an allowance prescribed by this clause shall not receive payment of allowances prescribed in Clause 38. - Relieving Allowance or Clause 42. - Travelling Allowance of this Award.

41. - TRANSFER ALLOWANCE

- (1) Subject to subclauses (2) and (5) of this clause an officer who is transferred to a new locality in the public interest, or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, shall be paid at the rates prescribed in Column A, Item (4), (5) or (6) of Schedule I. - Travelling, Transfer and Relieving Allowance for a period of 14 days after arrival at new headquarters within Western Australia or Column A, Items (7) and (8) of Schedule I. - Travelling, Transfer and Relieving Allowance for a period of 21 days after arrival at a new headquarters in another State of Australia: Provided that if an officer is required to travel on official business during the said periods, such period will be extended by the time spent in travelling. Under no circumstances, however, shall the provisions of this subclause operate concurrently with those of Clause 42. - Travelling Allowance of this award to permit an officer to be paid allowances in respect of both travelling and transfer expenses for the same period.
- (2) Prior to the payment of an allowance specified in subclause (1) of this clause, the Employer shall:
- (a) Require the officer to certify that permanent accommodation has not been arranged or is not available from the date of transfer. In the event that permanent accommodation is to be immediately available, no allowance is payable; and

- (b) Require the officer to advise the Department that should permanent accommodation be arranged or become available within the prescribed allowance periods, the officer shall refund the pro rata amount of the allowance for that period the occupancy in permanent accommodation takes place prior to the completion of the prescribed allowance periods.

Provided also that should an occupancy date which falls within the specified allowance periods be notified to the Department prior to the officer's transfer, the payment of a pro rata amount of the allowance should be made in lieu of the full amount.

- (3) If an officer is unable to obtain reasonable accommodation for the transfer of his or her home within the prescribed period referred to in subclause (1) of this clause and the Employer is satisfied that the officer has taken all possible steps to secure reasonable accommodation, such officer shall, after the expiration of the prescribed period to be paid in accordance with the rates prescribed by Column B, Items (4), (5), (6), (7) or (8) of Schedule I. - Travelling, Transfer and Relieving Allowance as the case may require, until such time as the officer has secured reasonable accommodation: Provided that the period of reimbursement under this subclause shall not exceed 77 days without the approval of the Employer.
- (4) When it can be shown by the production of receipts or other evidence that an allowance payable under this clause would be insufficient to meet reasonable additional costs incurred by an officer on transfer, an appropriate rate of reimbursement shall be determined by the Employer.
- (5) An officer who is transferred to departmental accommodation shall not be entitled to reimbursement under this clause: Provided that:-
- (a) where entry into departmental accommodation is delayed through circumstances beyond the officer's control an officer may, subject to the production of receipts, be reimbursed actual reasonable accommodation and meal expenses for the officer and dependants less a deduction for normal living expenses prescribed in Column A, Items (15) and (16) of Schedule I. - Travelling, Transfer and Relieving Allowance.
- and provided that -
- (b) if any costs are incurred under subclause (2) of Clause 32. - Disturbance Allowance of this Award they shall be reimbursed by the department.

42. - TRAVELLING ALLOWANCE

An officer who travels on official business shall be reimbursed reasonable expenses on the following basis:-

- (1) When a trip necessitates an overnight stay away from headquarters and the officer:-
- is supplied with accommodation and meals free of charge; or
- attends a course, conference, etc., where the fee paid includes accommodation and meals; or
- travels by rail and is provided with a sleeping berth and meals; or
- is accommodated at a Government institution, hostel or similar establishment and supplied with meals;
- reimbursement shall be in accordance with the rates prescribed in Column A, Items (1), (2) or (3) of Schedule I. - Travelling, Transfer and Relieving Allowance.
- (2) When a trip necessitates an overnight stay away from headquarters and the officer is fully responsible for his or her own accommodation, meals and incidental expenses:-

- (a) where hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (4) to (8) of Schedule I. - Travelling, Transfer and Relieving Allowance; and
 - (b) where other than hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (9), (10) or (11) of Schedule I. - Travelling, Transfer and Relieving Allowance.
- (3) When a trip necessitates an overnight stay away from headquarters and accommodation only is provided at no charge to the officer, reimbursement shall be made in accordance with the rates prescribed in Column A, Items 1, 2 or 3 and Items 12, 13 or 14 of Schedule I. - Travelling, Transfer and Relieving Allowance subject to the employees' certification that each meal claimed was actually purchased.
- (4) To calculate reimbursement under subclauses (1) and (2) of this clause for a part of a day, the following formula shall apply:-
- (a) If departure from headquarters is:
 - before 8.00am - 100% of the daily rate.
 - 8.00am or later but prior to 1.00pm - 90% of the daily rate.
 - 1.00pm or later but prior to 6.00pm - 75% of the daily rate.
 - 6.00pm or later - 50% of the daily rate.
 - (b) If arrival back at headquarters is:
 - 8.00am or later but prior to 1.00pm - 10% of the daily rate.
 - 1.00pm or later but prior to 6.00pm - 25% of the daily rate.
 - 6.00pm or later but prior to 11.00pm - 50% of the daily rate.
 - 11.00pm or later - 100% of the daily rate.
- (5) When an officer travels to a place outside a radius of fifty (50) kilometres measured from the officer's headquarters, and the trip does not involve an overnight stay away from headquarters, reimbursement for all meals claimed shall be at the rates set out in Column A, Items (12) or (13) of Schedule I. - Travelling, Transfer and Relieving Allowance subject to the officer's certification that each meal claimed was actually purchased: Provided that when an officer departs from headquarters before 8.00am and does not arrive back at headquarters until after 11.00pm on the same day the officer shall be paid at the appropriate rate prescribed in Column A, Items (4) to (8) of Schedule I. - Travelling, Transfer and Relieving Allowance.
- (6) When it can be shown to the satisfaction of the Employer by the production of receipts that reimbursement in accordance with Schedule I. - Travelling, Transfer and Relieving Allowance does not cover an officer's reasonable expenses for a whole trip the officer shall be reimbursed the excess expenditure.
- (7) In addition to the rates contained in Schedule I. - Travelling, Transfer and Relieving Allowance an officer shall be reimbursed reasonable incidental expenses such as train, bus and taxi fares, official telephone calls, laundry and dry cleaning expenses, on production of receipts.
- (8) If on account of lack of suitable transport facilities an officer necessarily engages reasonable accommodation for the night prior to commencing travelling on early morning transport the officer shall be reimbursed the actual cost of such accommodation.

- (9) Reimbursement of expenses shall not be suspended should an officer become ill whilst travelling, provided leave for the period of such illness is approved in accordance with provisions of Clause 22. - Sick Leave of this award, and the officer continues to incur accommodation, meal and incidental expenses.
- (10) Reimbursement claims for travelling in excess of 14 days in one month shall not be passed for payment by a certifying officer unless the Employer has endorsed the account.
- (11) An officer who is relieving at or temporarily transferred to any place within a radius of fifty (50) kilometres measured from the officer's headquarters shall not be reimbursed the cost of midday meals purchased, but an officer travelling on duty within that area which requires absence from the officer's headquarters over the usual midday meal period shall be paid at the rate prescribed by Item 17 of Schedule I. - Travelling, Transfer and Relieving Allowance for each meal necessarily purchased, provided that:-
 - (a) such travelling is not a normal feature in the performance of the officer's duties; and
 - (b) such travelling is not within the suburb in which the officer resides; and
 - (c) the officer's total reimbursement under this subclause for any one pay period shall not exceed the amount prescribed by Item (18) of Schedule I. - Travelling, Transfer and Relieving Allowance.

43. - WEEKEND ABSENCE FROM RESIDENCE

- (1) An officer who is temporarily absent from his or her normal headquarters on relieving duty or travelling on official business outside a radius of three hundred and twenty (320) kilometres measured from the normal headquarters and is necessarily absent from his or her residence and separated from dependants, shall be granted an additional day's leave for every group of three (3) consecutive weekends so absent, provided that each weekend shall be counted as a member of only one group. Provided that:
 - (a) the relief duty or travelling on official business is within Australia and the officer is not directed to work on the weekend by the Employer;
 - (b) an additional day's leave shall not be allowed if the Employer has approved the officer's dependants accompanying the officer during the period of relief or travelling;
 - (c) additional leave under this subclause shall be commenced within one (1) month of the period of relief duty or travelling being completed unless the Employer approves otherwise;
 - (d) the annual leave loading provided by Clause 19. - Annual Leave of this Award shall not apply to any leave entitlements under this clause.
- (2) Officers who are temporarily absent from their normal headquarters on relieving duty or travelling on official business outside a radius of three hundred and twenty (320) and up to four hundred (400) kilometres measured from the normal headquarters, may elect to have the benefit of concessions provided by subclause (3) of this clause in lieu of those provided by subclause (1) of this clause. Kalgoorlie, Albany and Geraldton shall be regarded as being within a radius of four hundred (400) kilometres for the purpose of this subclause in the case of an officer resident in the Metropolitan Area.
- (3) Officers who are temporarily absent from their normal headquarters on relieving duty or travelling on official business within a radius of three hundred and twenty (320) kilometres measured from the officer's headquarters, and such relief duty or travel would normally necessitate the officer being absent from his or her residence for a weekend, shall be allowed to return to such residence for the weekend. Provided that:
 - (a) An officer who is directed to work on a weekend by the Employer shall not be entitled to the concessions;

- (b) All travelling to and from the officer's residence shall be undertaken outside of the hours of duty prescribed by Clause 16. - Hours.
- (c) An officer who has obtained the approval of the Employer for dependants to accompany the officer during the period of relief or travelling shall not be entitled to the concessions provided by this subclause;
- (d) When an officer is authorised by the Employer to use his or her own motor vehicle to travel to the locality where the relief duty is being performed or when travelling on official business the officer shall be reimbursed on the basis of one half (½) of the appropriate rate prescribed by subclause (3) of Clause 35. - Motor Vehicle Allowance of this Award for the journey to the officer's residence for the weekend and the return to the place of relief duty: Provided that the maximum amount of reimbursement shall not exceed the cost of the rail or bus fare by public conveyance which otherwise would be utilised for such journey and payment shall be made only to the owner of such vehicle;
- (e) When an officer has been authorised by the Employer to use a government motor vehicle in connection with the relief duty or travelling on official business, the officer shall be allowed to use that vehicle for the purpose of returning to his or her residence for the weekend;
- (f) An officer who does not use his or her own vehicle or a government motor vehicle as provided by paragraphs (d) and (e) of this subclause, shall be reimbursed the cost of the fare by public conveyance by road or rail for the journey to and from the officer's residence for the weekend;
- (g) An officer who does not make use of the provision of this subclause shall be paid travelling allowance or relieving allowance as the case may require in accordance with the provisions of Clause 38. - Relieving Allowance or Clause 42. - Travelling Allowance of this Award.
- (h) Officers who return to their residence for the weekend in accordance with the provisions of this subclause shall not be entitled to the reimbursement of any expenses allowed by Clause 38. - Relieving Allowance and Clause 42. - Travelling Allowance of this Award during the period from the time when the officer returns to his or her residence to the time of departing from such residence to travel to resume duty at the place away from the residence.

44. - PRESERVATION OF RIGHTS

Nothing herein contained shall enable the employer to reduce the salary of, or the conditions of work applied to, any officer employed under this Award at the effective date of this Award, who was being paid a higher rate of salary than the minimum prescribed in this Award or was being accorded a benefit superior to any herein prescribed as a condition of work.

45. - TIME AND SALARIES RECORD

- (1) The employer shall keep or cause to be kept a time and salaries record showing:
 - (a) the name of each officer;
 - (b) the nature of the work performed;
 - (c) the hours worked each day;
 - (d) the salary, allowances and overtime paid to each officer.

Any system of automatic recording by means of machines shall be deemed to comply with the provision to the extent of the information recorded.

- (2) (a) The time and salary record shall on demand be produced for inspection by the General Secretary or duly accredited official of the relevant union during the employer's usual office hours and when necessary the duly accredited official of the relevant union may take a copy of the record.
- (b) The Association shall:
- (i) give prior notification to the employer on when it proposes to inspect the record;
 - (ii) not conduct interviews during normal working hours in circumstances which will result in the employer's business being unduly interrupted or otherwise hampered; and
 - (iii) treat with confidentiality any information obtained from time and salary records.
- (c) The employer's office shall be deemed to be a convenient place for the purposes of inspecting records and if for any reason the time and salary record is not available when the duly accredited official of the relevant union calls to inspect it, the record will be made available for inspection at a mutually convenient time at the employer's office.
- (d) If the employer maintains a personal or other file on an employee subject to the employer's convenience, the employee shall be entitled to examine all material maintained on that file.

46. - NOTIFICATION OF CHANGE

- (1) (a) Where an employer has made a definite decision to introduce major changes in production, programme, organisation, structure or technology that are likely to have significant effects on officers, the employer shall notify the officers who may be affected by the proposed changes and the Unions.
- (b) For the purpose of this clause "significant effects" include termination of employment; major changes in the composition, operation or size of the employer's workforce or in the skills required; elimination or diminution of job opportunities, promotion opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of officers to other work or locations and restructuring of jobs.
- Provided that where this Award or any other Award or Agreement makes provision for alteration of any of the matters referred to in this clause an alteration shall be deemed not to have significant effect.
- (2) (a) The employer shall discuss with the officers affected and the Unions, inter alia, the introduction of the changes referred to in subclause (1) of this clause, the effects the changes are likely to have on officers, measures to avert or mitigate the adverse effects of such changes on officers and shall give prompt consideration to matters raised by the officers and/or the Unions in relation to the changes.
- (b) The discussion shall commence as early as practicable after a firm decision has been made by the employer to make the changes referred to in subclause (1) of this clause, unless by prior arrangement, the Unions is represented on the body formulating recommendations for change to be considered by the employer.
- (c) For the purposes of such discussion an employer shall provide to the officers concerned and the Unions all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on officers and any other matters likely to affect officers. Provided that any employer shall not be required to disclose confidential information, the disclosure of which would be inimical to the employer's interests.

47. - RIGHT OF ENTRY

Consistent with the terms of the Labour Relations Legislation Amendment Act 1997 and S.23(3)(c)(iii) of the Industrial Relations Act a representative of the Union shall not exercise the rights under this clause with respect to entering any part of the premises of the employer unless the employer is the employer, or former employer of a member of the Union.

The General Secretary/Secretary of the Union or a duly authorised representative shall on notification to the employer have the right to enter the employer's premises during working hours, including meal breaks, for the purpose of discussing with officers covered by this Award, the legitimate business of the Union or for the purpose of investigating complaints concerning the application of this Award, but shall in no way unduly interfere with the work of officers.

48. - COPIES OF AWARD

Every officer shall be entitled to have access to a copy of this Award. Sufficient copies shall be made available by the employer for this purpose.

49. - ESTABLISHMENT OF CONSULTATIVE MECHANISMS

The parties to this award or agreement are required to establish a consultative mechanism/s and procedures appropriate to their size, structure and needs, for consultation and negotiation on matters affecting the efficiency and productivity of the Public Sector.

50. - AWARD MODERNISATION

- (1) The parties are committed to modernising the terms of the Award so that it provides for more flexible and efficient working arrangements, enhances productivity, improves the quality of working life, skills and job satisfaction and assists positively in the restructuring process.
- (2) In conjunction with testing the current Award structure the Parties are prepared to discuss all matters raised by the Parties for increased flexibility and efficiency. As such, any discussions between the Parties must be premised on the understanding that:
 - (a) the majority of employees employed in the section, branch or division must genuinely agree;
 - (b) no employee will suffer a reduction in ordinary earnings as a result of the change;
 - (c) the Unions must be party to the agreement, in particular, where the employees at any section, branch or division are holding discussions which would require any award variation. The Unions shall be invited to participate;
 - (d) the Unions shall not unreasonably oppose any agreement;
 - (e) subject to the provision of this award, any agreement reached may require ratification by the Commission.
- (3) Should an agreement be reached pursuant to subclause (2) of this clause and that agreement requires an award variation, no party will oppose the award variation.
- (4) There shall be no limitation on any award matter being raised for discussion.

51. - SPECIAL CONDITIONS

Nothing in this Award shall be construed so as to take away from the Unions the right to make a claim in respect of a specific occupational group covered by this Award.

52. - TRANSITION

For the purposes of this clause "the Agreement" shall mean the Public Services Salaries Agreement 1985.

(a) Maintenance of Salary:

Where an Officer's position is downgraded or the maximum salary is reduced as a result of the introduction of the Agreement, the following shall apply:

(b) Placement of Officers:

(i) Officers classified C-IV prior to the operation of the Agreement shall maintain their existing salary and incremental date under the Agreement.

(ii) Officers classified C-V or C-VI prior to the operation of the Agreement shall be classified level 1 under the Agreement on the following basis:

(a) Under 21 years of age - age to age.

(b) Officers 21 years of age and older - salary on promotion.

(iii) Officers who are not qualified for promotion and whose salary ranges prior to the operation of the Agreement were in excess of the 24 year old rate of Salary for level 1 under the Agreement shall be entitled to progress through the level 1 range. Provided that this provision shall also apply to officers classified C-III-1 prior to the date of operation of the Agreement.

(c) Service Allowance:

Officers classified C-IV and C-II-1 prior to the operation of the Agreement shall be entitled to progress to the first two points of level 2 under the Agreement in accordance with the provisions of Clauses 7(b), 9(d) (e) and (f) of the Public Service Administrative and Clerical Divisions Salaries Award 1982 No. 1 of 1982.

(d) Efficiency and Personal Allowances:

Officers in receipt of efficiency and personal allowances at the date of operation of the Agreement shall have the allowances included as salary when determining placement under the Agreement.

(e) Qualification Allowance:

(i) Officers in receipt of a qualifications allowance at the date of operation of the Agreement or who would have become entitled to such allowance, or increase in such allowance, pursuant to the provisions contained in Clause 13 of the Public Service Administrative and Clerical Divisions Salaries Award 1982, No. 1 of 1982, as a result of studies completed in the 1985 calendar year, shall continue to receive or be granted such allowance, or increase in allowance provided that such allowance shall be reduced or ceased in accordance with the following:

	Annual AllowanceDiplomates\$	Annual AllowanceGraduates and Associates\$
Up to and including Level 3, min	200	300
Level 3, 2nd and 3rd increments	100	200
Level 3 max	Nil	100
Level 4 and above	Nil	Nil

- (ii) Officers who are not entitled to a qualification allowance pursuant to subparagraph (i) of this Subclause or who attain a higher qualification subsequently shall not be entitled to receive an allowance or increase in the allowance.

(f) Officer Supporting Dependents Allowance:

- (i) Officers previously classified C-IV, G-VII, G-X or, G-XIII who were in receipt of an allowance of one increment for wholly or substantially supporting a spouse and/or dependent relatives prior to the date of operation of the Agreement shall, if classified Level 1 under the Agreement, continue to receive such allowance of one increment whilst wholly or substantially supporting a spouse and/or dependent relative. Provided that the maximum remuneration inclusive of such allowance shall be the rate of pay at age 29 or ninth year of adult service in respect of an officer who is deemed qualified for promotion by the Commission or, age 24 or fourth year of adult service in respect of officers not deemed qualified for promotion.
- (ii) Payment of the Officer Supporting Dependents Allowance shall cease should an officer be promoted or reclassified above level 1.
- (iii) This provision shall not apply to any officer who was not in receipt of the Officer Supporting Dependents Allowance at the operative date of the Agreement.

(g) Higher Duties:

- (i) Officers classified CIV, who were acting in a C- II-1 position immediately prior to the date of operation of the Agreement, and who had been so acting for in excess of twelve (12) months in the preceding eighteen (18) months, shall be deemed appointed to that level, provided that the position has not been advertised and/or is the subject of a Promotion Appeal.
- (ii) Where an officer was acting in a position classified higher than his/her substantive position prior to the introduction of the Agreement and who continued to act in the same position at the operative date of the Agreement, the officer shall receive higher duties allowance equivalent to the salary that would have been payable to the permanent occupant.

Provided that should the officer cease to act in that higher classified position, any future periods of acting in the same position or other positions classified higher than the officer's substantive classification shall be paid a higher duties allowance in accordance with Clause 4 (f) of the Public Service Allowance (Higher Duties) Award 1981.

(h) Incremental Dates:

- (i) Where an Officer is in receipt of a salary that equates to a salary under the Agreement and the officer is classified at that level, the officer will remain on that salary and retain his/her current incremental date.
- (ii) An officer in receipt of a salary which does not equate to a salary under the Agreement shall be placed on the nearest salary point higher at the date of operation of the Agreement, which shall become the officer's new incremental date.

(i) Drafting and Library Assistants:

- (i) Drafting Assistants employed prior to the date of operation of the Agreement shall be placed at the same or nearest salary point higher in level 1 or 2 under the Agreement. Provided that all Drafting Assistants employed prior to the date of operation of the Agreement shall be allowed to progress to the first two increments of Level 2 under the Agreement subject to the provisions of Regulation 5 of the Public Service Act 1978 - 1985 without the need for qualifications.

This provision shall not apply to Officers appointed on or after the operative date of the Agreement.

- (ii) Library Assistants employed prior to the date of operation of the Agreement shall be placed at the same or nearest salary point higher in level 1 or 2 under the Agreement. Provided that all Library Assistants employed prior to the date of operation of the Agreement shall be allowed to progress to the first increment of level 2 under the Agreement subject to the provisions of Regulation 5 of the Public Service Act 1978 - 1985, without the need for qualifications.

This provision shall not apply to Officers appointed on or after the operative date of the Agreement.

- (j) Draftsperson:

- (i) An Architectural and Engineering Draftsperson employed prior to the operation of the Agreement who holds an appropriate Diploma or equivalent qualification approved by the Commission shall, where relevant, upon becoming entitled to progression to the Eighth year increment of the Level 2/3 under the Agreement, be advanced to the maximum of the Level 2/3 under the Agreement.

This provision shall not apply to officers appointed on or after the operative date of the Agreement.

- (ii) A Draftsperson (Architectural and Engineering, or, Cartographic) employed prior to the operative date of the Agreement at level 1, shall be placed at the same or nearest salary point higher in the level 2/3 under the Agreement. Provided that such officers shall be allowed to progress to the first increment of Level 4 under the Agreement.

This provision shall not apply to officers appointed on or after the operative date of the Agreement.

53. - ALLOWANCES

- (1) Except as provided for in paragraph (5)(b) of Clause 11. - Salaries Specialised Callings of this Award and subject to the provisions of Clause 52. - Transition of this Award no qualifications, service, efficiency, personal or officer supporting dependent allowances shall be approved on or after the date of this Award.
- (2) The provisions of subclause (1) of this clause shall not prohibit the employer from granting special allowances based on additional duties and responsibilities undertaken by an officer due to expertise and knowledge of the officer.

54. - ADJUSTMENT OF SALARIES

The salary rates expressed in this Award shall be varied to the extent necessary to give effect to any decision of the Western Australian Industrial Relations Commission in a State Wage Case made during the currency of this Award and expressed to be on general economic grounds and which has general application.

55. - AMALGAMATION OF SALARY CLASSES

In allocating salaries or salary ranges the employer may amalgamate any two or more levels or, allocate specific salary points from a level or levels prescribed by this Award.

56. - LEAVE FOR INTERNATIONAL SPORTING EVENTS

- (1) Special leave with pay may be granted by the employer to an officer chosen to represent Australia as a competitor or official, at a sporting event which meets the following criteria:
 - (a) it is a recognised international amateur sport of national significance; or
 - (b) it is a world or international regional competition; and
 - (c) no contribution is made by the sporting organisation towards the normal salary of the employee.
- (2) The employer shall make enquiries with the Ministry of Sport and Recreation:
 - (a) whether the application meets the above criteria;
 - (b) the period of leave to be granted.

57. - WITNESS AND JURY SERVICE

WITNESS

- (1) An officer subpoenaed or called as a witness to give evidence in any proceeding shall as soon as practicable notify the manager/supervisor who shall notify the employer.
- (2) Where an officer is subpoenaed or called as a witness to give evidence in an official capacity that officer shall be granted by the employer leave of absence with pay, but only for such period as is required to enable the officer to carry out duties related to being a witness. If the officer is on any form of paid leave, the leave involved in being a witness will be reinstated, subject to the satisfaction of the employer. The officer is not entitled to retain any witness fee but shall pay all fees received into Consolidated Revenue Fund. The receipt for such payment with a voucher showing the amount of fees received shall be forwarded to the employer.
- (3) An officer subpoenaed or called as a witness to give evidence in an official capacity shall, in the event of non-payment of the proper witness fees or travelling expenses as soon as practicable after the default, notify the employer.
- (4) An officer subpoenaed or called as a witness on behalf of the Crown, not in an official capacity shall be granted leave with full pay entitlements. If the officer is on any form of paid leave, this leave shall not be reinstated as such witness service is deemed to be part of the officer's civic duty. The officer is not entitled to retain any witness fees but shall pay all fees received into Consolidated Revenue Fund.
- (5) An employee subpoenaed or called as a witness under any other circumstances other than specified in subclauses (2) and (4) of this clause shall be granted leave of absence without pay except when the employee makes an application to clear accrued leave in accordance with award provisions.

JURY

- (6) An officer required to serve on a jury shall as soon as practicable after being summoned to serve, notify the supervisor/manager who shall notify the employer.
- (7) An officer required to serve on a jury shall be granted by the employer leave of absence on full pay, but only for such period as is required to enable the officer to carry out duties as a juror.
- (8) An officer granted leave of absence on full pay as prescribed in subclause 6 of this clause is not entitled to retain any juror's fees but shall pay all fees received into Consolidated Revenue Fund. The receipt for such payment shall be forwarded with a voucher showing the amount of juror's fees received to the employer.

58. - LIBERTY TO APPLY

Liberty is reserved to the parties to apply to amend this award in respect to the following matters:

- (i) Overtime
- (ii) Casual Employment
- (iii) Parental Leave
- (iv) Annual Leave
- (v) All Allowances
- (vi) Long Service Leave
- (vii) Permanent Part-Time Employment
- (viii) Annual Increments
- (xi) Hours
- (x) Study Leave

59. - SALARY PACKAGING

- (1) For the purposes of this award “salary packaging” shall mean an arrangement whereby the wage or salary benefit arising under a contract of employment is reduced, with another or other benefits to the value of the replaced salary being substituted and due to the employee.
- (2) An employer and employee bound by this award may enter into a salary packaging arrangement subject to the following —
 - (a) The employer shall take all reasonable steps to ensure that any salary package complies with taxation and other relevant laws;
 - (b)
 - (i) The employer shall record the arrangement at the time it is entered into, and provide a copy to the employee before the arrangement comes into effect;
 - (ii) The record shall include details of the employee’s classification and salary level applying immediately prior to the salary packaging, coming into effect, and the details of the package;
 - (c) The value of any agreed salary package, viewed objectively, shall not be less than the value of entitlements under this award which would otherwise apply;
 - (d) The value of any agreed salary package, viewed objectively, shall not be greater than the value of the contractual benefits which would otherwise be due to the employee;
- (3) An employer shall not unreasonably withhold agreement to salary packaging on request from an employee.
- (4) In the event of a dispute involving —
 - (a) refusal by an employer to discuss after having received a request for salary packaging; and/or
 - (b) a claim by an employee or the union party to this award that an employer is unreasonably refusing to enter into a salary packaging arrangement with its employee/s;

such dispute may be determined under the Industrial Relations Act, 1979 as amended.

60. - DISPUTE SETTLEMENT PROCEDURE

- (1) Preamble

Subject to the provisions of the Industrial Relations Act 1979 (as amended) any grievance, complaint or dispute, or any matter raised by the Union or a respondent employer and his/her employees, shall be settled in accordance with the procedures set out herein.

The parties agree that no bans, stoppages or limitations will be imposed prior to, or during the time this procedure is being followed.

This clause in no way limits the rights of employers, employees and the Union under the Occupational Safety and Health Act 1984. or other related legislation.

(2) Procedure

Where the matter is raised by an employee, or a group of employees, the following steps shall be observed.

- (a) The employee(s) concerned shall discuss the matter with the immediate supervisor. If the matter cannot be resolved at this level the supervisor shall, within two working days, refer the matter to a more senior officer nominated by the employer and the employee(s) shall be advised accordingly.
- (b) The senior officer shall, if able, answer the matter raised within five working days of it being referred and if the senior officer is not so able, refer the matter to the employer for his/her attention, and the employee(s) shall be advised accordingly.
- (c)
 - (i) If the matter has been referred in accordance with paragraph (b) above the employee(s) or the shop steward shall notify the Secretary of the relevant Union or nominee, to enable the opportunity of discussing the matter with the employer.
 - (ii) The employer shall, as soon as practicable after considering the matter before it, advise the employee(s) or, where necessary the relevant Union of its decision. Provided that such advice shall be given within 21 calendar days of the matter being referred to the employer.
- (d) Should the matter remain in dispute after the above processes have been exhausted either party may refer the matter to the Western Australian Industrial Relations Commission.
- (e) Nothing in this procedure shall preclude the relevant parties reaching agreement to shorten or extend the period specified in subclauses (2)(a), (b) or (c)(ii).

(3) Disciplinary Procedure

Where an employer seeks to discipline an employee, or terminate an employee the following steps shall be observed:

- (a)
 - (i) In the event that an employee commits a misdemeanour, the employee's immediate supervisor or any other officer so authorised, may exercise the employer's right to reprimand the employee so that the employee understands the nature and implications of his/her conduct.
 - (ii) The first two reprimands shall take the form of warnings and, if given verbally, shall be confirmed in writing as soon as practicable after the giving of the reprimand.
 - (iii) Should it be necessary, for any reason, to reprimand an employee three times in a period not exceeding twelve months continuous service, the contract of service shall, upon the giving of that third reprimand, be terminable in accordance with Clause 8. - Contract of Service.
 - (iv) The employee shall have the right to request representation when being reprimanded in accordance with this subclause.

- (v) The above procedure is meant to preserve the rights of the individual employee, but it shall not, in any way, limit the right of the employer to summarily dismiss an employee for misconduct.

(4) Access to the Industrial Relations Commission

The settlement procedures provided by this clause shall be applied to all manner of disputes referred to in subclause (1) hereof, and no party, or individual, or group of individuals, shall commence any other action, of whatever kind, which may frustrate a settlement in accordance with its procedures. Observance of these procedures shall in no way prejudice the right of any party in dispute to refer the matter for resolution in the Western Australian Relations Commission, at any time.

The status quo (i.e. the condition applying prior to the issue arising) will remain until the issue is resolved in accordance with the procedure outlined above.

(5) Provision of Services

The Unions recognise that the Health Department and the teaching hospitals have a statutory and public responsibility to provide health care services without any avoidable interruptions.

This grievance procedure has been developed between the parties to provide an effective means by which employees may reasonably expect problems will be dealt with as expeditiously as possible by hospital management.

Accordingly, the Unions hereby agree that during any period of industrial action, sufficient labour will be made available to carry out work essential for life support within hospitals.

(6) Industry Wide Issues

In resolving issues of an industry wide nature discussions will commence at the level specified in subclause (2)(c)(i) above, between the appropriate Union official and the Manager, Industrial Relations, Health Department or his/her nominee.

(7) Definitions

For the purpose of this procedure:

"employer" means the officer nominated at each work site.

"relevant union" means the CSA where the employee concerned is a member of that union, or, in all other cases, the HSU.

"senior officer" means an officer nominated by management.

"industry wide issues" include issues affecting more than one work site or claims seeking variations to an award.

"work site" means as agreed between the parties.

SCHEDULE A – SALARIES

(1) Annual salaries applicable to officers covered by this award:

Level	Salary Annum \$	Per	Arbitrated Safety Adjustments \$	Net	Total Salary Per Annum \$
Level 1					
Under 17 years	11355		3886		15241
17 years	13270		4541		17811
18 years	15480		5297		20777
19 years	17918		6131		24049
20 years	20122		6885		27007
1.1	22104		7564		29668
1.2	22756		7564		30320
1.3	23407		7564		30971
1.4	24054		7669		31723
1.5	24705		7669		32374
1.6	25356		7669		33025
1.7	26105		7565		33670
1.8	26623		7565		34188
1.9	27389		7565		34954
Level 2					
2.1	28306		7565		35871
2.2	29009		7565		36574
2.3	29748		7565		37313
2.4	30529		7565		38094
2.5	31346		7565		38911
Level 3					
3.1	32469		7565		40034
3.2	33344		7565		40909
3.3	34246		7460		41706
3.4	35172		7460		42632
Level 4					
4.1	36442		7460		43902
4.2	37437		7356		44793
4.3	38461		7356		45817
Level 5					
5.1	40433		7356		47789
5.2	41766		7356		49122
5.3	43151		7356		50507
5.4	44588		7356		51944
Level 6					
6.1	46899		7356		54255
6.2	48470		7356		55826
6.3	50096		7356		57452
6.4	51832		7356		59188
Level 7					
7.1	54494		7356		61850
7.2	56336		7356		63692
7.3	58340		7356		65696

Level 8			
8.1	61597	7356	68953
8.2	63930	7356	71286
8.3	66823	7356	74179
Level 9			
9.1	70436	7356	77792
9.2	72877	7356	80233
9.3	75661	7356	83017
Class 1	79871	7356	87227
Class 2	84081	7356	91437
Class 3	88289	7356	95645
Class 4	92499	7356	99855

- (2) Salary increases resulting from State Wage Case Decisions are calculated for those officers under the age of 21 years employed at Level 1 by dividing the current junior annual salary by the current Level 1.1 annual salary and multiplying the result by the new Level 1.1 annual salary which includes the State Wage Case increase. The following formula is to be applied:

$$\frac{\text{Current junior rate}}{\text{Current Level 1.1 rate}} \times \text{New Level 1.1 rate} = \text{New junior rate}$$

SCHEDULE B – SALARIES – SPECIFIED CALLINGS

- (1) Officers, who possess a relevant tertiary level qualification, or equivalent determined by the employer, and who are employed in the callings of, Architect, Architectural Graduate, Dental Officer, Dietician, Engineer, Laboratory Technologist, Librarian, Pharmacist, Podiatrist, Clinical Psychologist, Psychologist, Medical Imaging Technologist, Nuclear Medicine Technologist, Radiation Therapist, Scientific Officer, Social Worker, Therapist (Occupational, Physio or Speech), or any other professional calling as agreed between the Unions and the employer, shall be entitled to annual salaries as follows:

Level	Salary PerAnnum\$	ArbitratedSafety Net\$	Total SalaryPer Annum\$
Level 2/4			
1st year	28306	7565	35871
2nd year	29748	7565	37313
3rd year	31346	7565	38911
4th year	33344	7565	40909
5th year	36442	7460	43902
6th year	38461	7356	45817
Level 5			
1st year	40433	7356	47789
2nd year	41766	7356	49122
3rd year	43151	7356	50507
4th year	44588	7356	51944
Level 6			
1st year	46899	7356	54255
2nd year	48470	7356	55826
3rd year	50096	7356	57452
4th year	51832	7356	59188
Level 7			
1st year	54494	7356	61850
2nd year	56336	7356	63692
3rd year	58340	7356	65696
Level 8			
1st year	61597	7356	68953
2nd year	63930	7356	71286
3rd year	66823	7356	74179
Level 9			
1st year	70436	7356	77792
2nd year	72877	7356	80233
3rd year	75661	7356	83017
Class 1	79871	7356	87227
Class 2	84081	7356	91437
Class 3	88289	7356	95645
Class 4	92499	7356	99855

SCHEDULE C - CAMPING ALLOWANCE

South of 26° South Latitude

ITEM			RATE PER DAY
1	Permanent Camp	Cook provided by the Department	29.30
2	Permanent Camp	No cook provided by the Department	39.05
3	Other Camping	Cook provided by the Department	48.80
4	Other Camping	No cook provided	58.60

North of 26° South Latitude

ITEM			RATE PER DAY
1	Permanent Camp	Cook provided by the Department	35.20
2	Permanent Camp	No cook provided by the Department	44.95
3	Other Camping	Cook provided by the Department	54.70
4	Other Camping	No cook provided	64.50

The allowances prescribed in this schedule shall apply from 5 December 2001, and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE D - DISTRICT ALLOWANCE

(a) Officers Without Dependants (subclause 31(3)(a)):

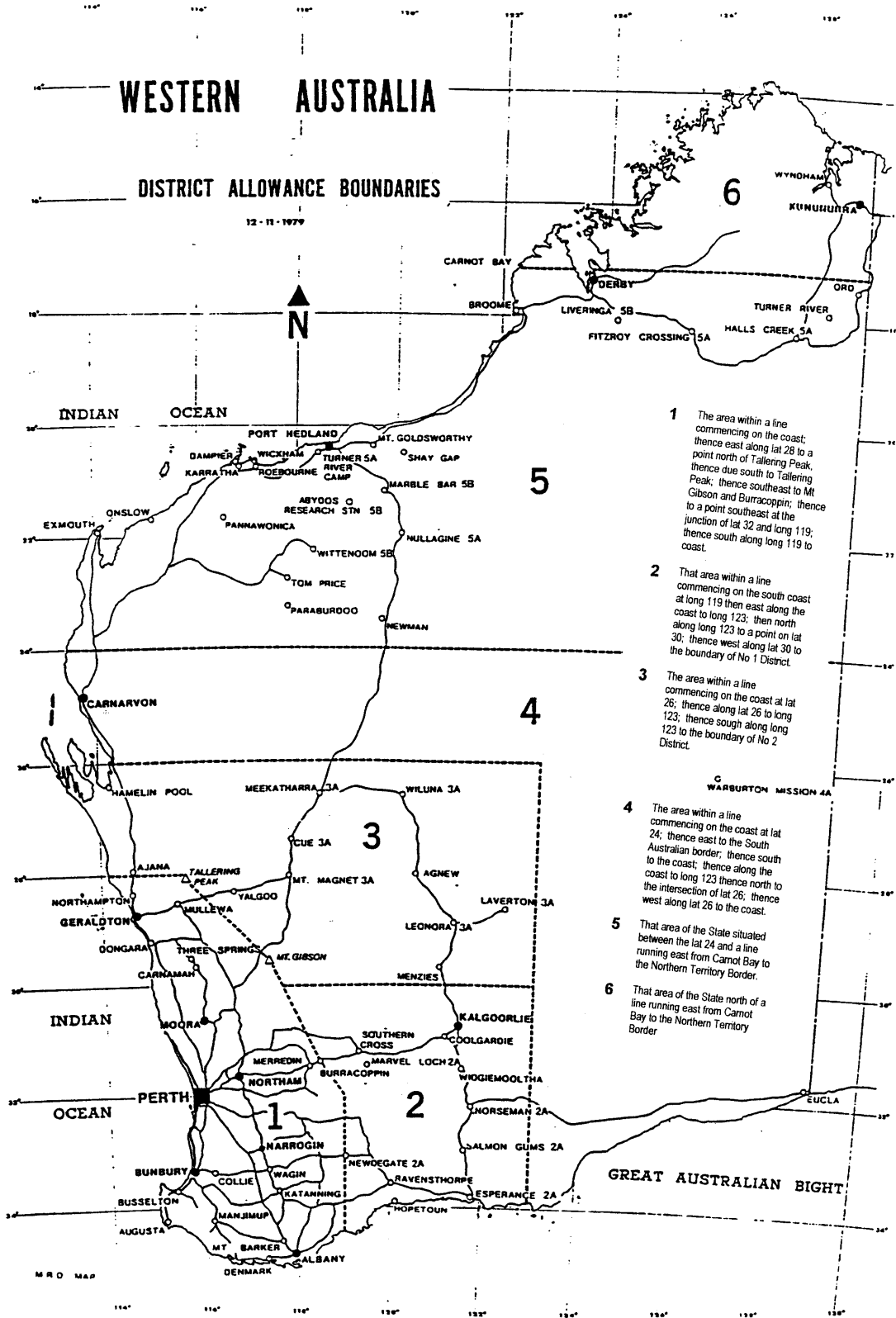
COLUMN I DISTRICT NO	COLUMN II STANDARD RATES p.a.	COLUMN III EXCEPTIONS TO STANDARD TOWN OR PLACE	COLUMN IV RATES p.a.
6	3,569	Nil	Nil
5	2,920	Fitzroy Crossing Halls Creek Turner River Camp Nullagine Liveringa (Camballin) Marble Bar Wittenoom Karratha Port Hedland	3,933 3,655 3,438 3,199
4	1,471	Warburton Mission Carnarvon	3,952 1,385
3	927	Meekatharra Mount Magnet Wiluna Laverton Leonora Cue	1,471
2	665	Kalgoorlie Boulder Ravensthorpe Norseman Salmon Gums Marvel Loch Esperance	222 878
1	Nil	Nil	Nil

(b) Officers with dependants (subclause 31(3)(b)):

Double the appropriate rate as prescribed in (a) above for officers without dependants.

The allowances prescribed in this schedule shall operate from the beginning of the first pay period commencing on or after July 1, 2005 and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE D - DISTRICT ALLOWANCE

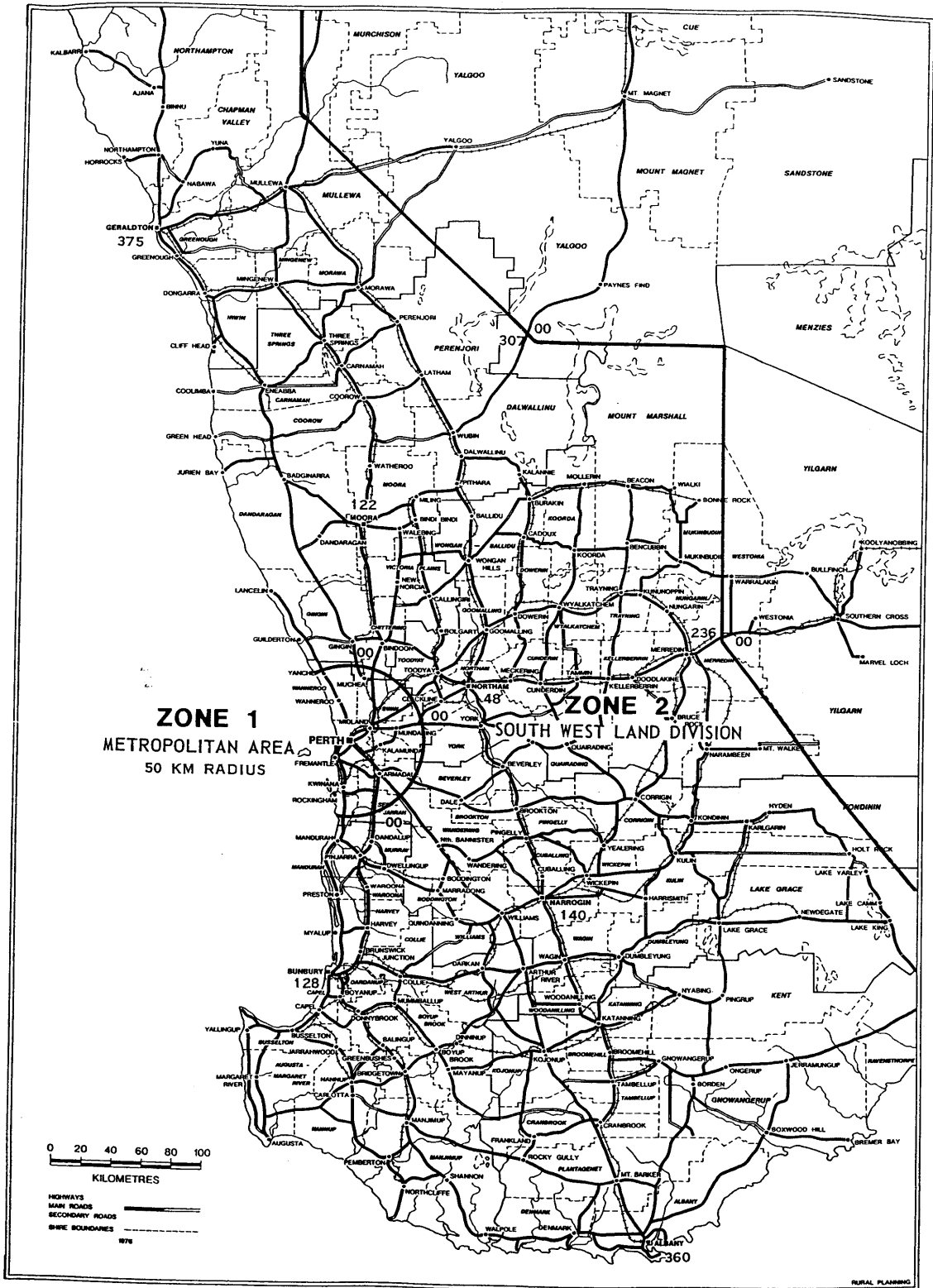


SCHEDULE E - MOTOR VEHICLE ALLOWANCE

AS FROM 18 SEPTEMBER 2003

Area Details	Rate (cents) per kilometre Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
<u>Metropolitan Area</u>			
First 4000 kilometres	149.7	126.6	102.2
Over 4000 up to 8000 kms	61.7	52.7	44.0
Over 8000 up to 16000 kms	32.4	28.1	24.6
Over 16000 kms	34.0	28.8	24.7
<u>South West Land Division</u>			
First 4000 kilometres	154.3	130.9	106.4
Over 4000 up to 8000 kms	64.0	54.8	46.0
Over 8000 up to 16000 kms	33.9	29.4	25.8
Over 16000 kms	35.2	29.7	25.5
<u>North of 23.5° South Latitude</u>			
First 4000 kilometres	170.9	145.4	118.9
Over 4000 up to 8000 kms	70.3	60.2	50.7
Over 8000 up to 16000 kms	36.7	31.9	28.0
Over 16000 kilometres	36.3	30.6	26.3
<u>Rest of State</u>			
First 4000 kilometres	159.2	134.8	109.2
Over 4000 up to 8000 kms	66.0	56.4	47.2
Over 8000 up to 16000 kms	34.9	30.2	26.5
Over 16000 kilometres	35.7	30.1	25.9

The allowances prescribed in this schedule shall apply from the date of registration of the Award and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.



SCHEDULE F - MOTOR VEHICLE ALLOWANCE

AS FROM 18 SEPTEMBER 2003

Area Details	Rate (cents) per kilometre Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Metropolitan Area	69.0	58.9	48.9
South West Land Division	71.5	61.1	51.0
North of 23.5 ° South Latitude	78.7	67.3	56.4
Rest of the State	73.7	62.9	52.4

The allowances prescribed in this schedule shall apply from the date of registration of the Award and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE G - MOTOR CYCLE ALLOWANCE

AS FROM 18 SEPTEMBER 2003

Distance travelled during a year on Official Business	Rate Cents per Kilometre
Rate per kilometre	23.9

The allowances prescribed in this schedule shall apply from the date of registration of the Award and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE H. - OVERTIME

PART 1 - OUT OF HOURS CONTACT

(Operative from the first pay period on or after 15th day of October 2004)

Standby	\$6.51 per hour
On Call	\$3.25 per hour
Availability	\$1.63 per hour

PART II - MEALS

(Operative from the first pay period commencing on or from 15 August 2006)

Breakfast	\$8.60 per meal
Lunch	\$10.60 per meal
Evening Meal	\$12.70 per meal
Supper	\$8.60 per meal

The allowances prescribed in this schedule shall apply from the dates indicated and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE I. - TRAVELLING, TRANSFER AND RELIEVING ALLOWANCE

ITEM	PARTICULARS	<u>COLUMN A</u>	<u>COLUMN B</u>	<u>COLUMN C</u>
		DAILY RATE	DAILY OFFICERS WITH DEPENDENTS: RELIEVING ALLOWANCE FOR PERIOD IN EXCESS OF 42 DAYS (CLAUSE 38(2)(b) TRANSFER ALLOWANCE FOR PERIOD IN EXCESS OF PRESCRIBED PERIOD (CLAUSE 41(3))	RATE WITH DEPENDENTS: RELIEVING ALLOWANCE FOR PERIOD IN EXCESS OF 42 DAYS (CLAUSE 38(2)(b))

ALLOWANCE TO MEET INCIDENTAL EXPENSES

		\$
(1)	WA - South of 26° South Latitude	11.75
(2)	WA - North of 26° South Latitude	15.40
(3)	Interstate	15.40

ACCOMMODATION INVOLVING AN OVERNIGHT STAY IN A HOTEL OR MOTEL

	\$	\$	\$	
(4)	WA - Metropolitan Hotel or Motel	210.05	105.00	70.00
(5)	Locality South of 26° South Latitude	168.60	84.30	56.20
(6)	Locality North of 26° South Latitude			
	Broome	284.40	142.20	94.80
	Carnarvon	222.30	111.15	74.10
	Dampier	209.15	104.55	69.70
	Derby	188.40	94.20	62.80
	Exmouth	215.90	107.95	71.95
	Fitzroy Crossing	314.90	157.45	104.95
	Gascoyne Junction	128.90	64.45	42.95
	Halls Creek	265.40	132.70	88.45
	Karratha	364.65	182.30	121.55
	Kununurra	266.80	133.40	88.95

	Marble Bar	179.40	89.70	59.80
	Newman	254.65	127.35	84.90
	Nullagine	189.75	94.90	63.25
	Onslow	207.20	103.60	69.05
	Pannawonica	177.15	88.60	59.05
	Paraburdoo	238.40	119.20	79.45
	Port Hedland	239.70	119.85	79.90
	Roebourne	132.90	66.45	44.30
	Sandfire	160.40	80.20	53.45
	Shark Bay	175.90	87.95	58.65
	Tom Price	219.40	109.70	73.15
	Turkey Creek	175.90	87.95	58.65
	Wickham	323.90	161.95	107.95
	Wyndham	158.90	79.45	52.95
(7)	Interstate - Capital City			
	Sydney	255.65	127.85	85.20
	Melbourne	245.65	122.85	81.90
	Other Capitals	213.15	106.60	71.00
(8)	Interstate - Other			
	than Capital City	168.60	84.30	56.20

ACCOMMODATION INVOLVING AN OVERNIGHT STAY AT OTHER THAN A HOTEL OR MOTEL

(9)	WA - South of 26° South Latitude	79.40		
(10)	WA - North of 26° South Latitude	97.70		
(11)	Interstate	97.70		

TRAVEL NOT INVOLVING AN OVERNIGHT STAY OR TRAVEL INVOLVING AN OVERNIGHT STAY WHERE ACCOMMODATION ONLY IS PROVIDED.

(12)	WA - South of 26o South Latitude:			
	Breakfast	14.15		
	Lunch	14.15		
	Dinner	39.40		
(13)	WA - North of 26o South Latitude			
	Breakfast	15.75		

	Lunch	27.70
	Dinner	38.90
(14)	Interstate	
	Breakfast	15.75
	Lunch	27.70
	Dinner	38.90

DEDUCTION FOR NORMAL LIVING EXPENSES (CLAUSE 41(5)(a))

(15)	Each Adult	22.75
(16)	Each Child	3.90

MIDDAY MEAL (CLAUSE 42(11))

(17)	Rate per meal	5.50
(18)	Maximum reimbursement per pay period	27.50

The allowances prescribed in this schedule shall operate from the beginning of the first pay period commencing on or after date of hearing

SCHEDULE J - SHIFT WORK ALLOWANCE

A shift work allowance, calculated on the basis of 12.5% of the daily rate for a Level 1.7 officer, is payable for each afternoon or night shift of seven and one half (7.5) hours worked.

SCHEDULE K - DIVING, FLYING AND SEAGOING ALLOWANCES

- (1) Diving - (Clause 33)
\$5.33 per hour or part thereof.
- (2) Flying - (Clause 34)
 - (a) Observation and photographic duties in fixed wing aircraft - \$9.84 per hour or part thereof.
 - (b) Cloud seeding and fire bombing duties, observation and photographic duties involving operations in which fixed wing aircraft are used at heights less than 304 metres or in unpressurised aircraft at heights more than 3048 metres - \$13.49 per hour or part thereof.
 - (c) When required to fly in a helicopter on fire bombing duties, observation and photographic duties or stock surveillance - \$18.65 per hour or part thereof.
- (3) Sea Going Allowances (Clause 40)
 - (a) Victualling
 - (i) Government Vessel - meals on board not prepared by a cook - \$25.10 per day.
 - (ii) Government Vessel - meals on board are prepared by a cook - \$18.89 per day.
 - (iii) Non Government Vessel - \$22.91 each overnight period.
 - (b) Hard Living Allowance - 52 cents per hour or part thereof.

The allowances prescribed in this schedule shall apply from the first pay period on or after the 15th day of October 2004, and shall be varied in accordance with any movement in the equivalent allowances in the Public Service Award 1992.

SCHEDULE L - NAMED PARTIES

The Civil Service Association of Western Australia Incorporated.
The Health Services Union of Western Australia (Union of Workers)
The Metropolitan Health Service Board

SCHEDULE M - HSU CALLINGS

ARCHITECT
AUDIOLOGIST
BIO-CHEMIST
BIO-ENGINEER
CHEMIST
CLINICAL PSYCHOLOGIST
DENTAL OFFICER
DENTIST
DIETITIAN
ENGINEER
LIBRARIAN
MEDICAL IMAGING TECHNOLOGIST
MEDICAL SCIENTIST
NUCLEAR MEDICINE TECHNOLOGIST
OCCUPATIONAL THERAPIST
PHARMACIST
PSYCHOLOGIST
PHYSICIST
PHYSIOTHERAPIST
PODIATRIST
RADIATION THERAPIST
RESEARCH OFFICER
SCIENTIFIC OFFICER
SOCIAL WORKER
SPEECH PATHOLOGIST
ULTRASONOGRAPHER
ACCOUNTANT
ACCOUNTING OFFICER
ACCOUNTING SERVICES OFFICER
ADMINISTRATIVE ASSISTANT (ADMINISTRATIVE/MANAGER)
ADMINISTRATIVE OFFICER
ADMINISTRATOR
ADMISSIONS OFFICER
ASSET MANAGEMENT OFFICER
AUDITOR
BEREAVEMENT OFFICER
BUDGETING OFFICER
CASEMIX OFFICER
CASHIER
CATERING MANAGER
CATERING OFFICER
CLAIMS MANAGEMENT OFFICER
CLEANING SERVICES OFFICER
CLEANING SERVICES SUPERVISOR
CLINIC LIAISON OFFICER
CO-ORDINATOR ALLIED HEALTH
CO-ORDINATOR ALLIED HEALTH EARLY DISCHARGE
CO-ORDINATOR PATIENT INFORMATION SYSTEMS
CO-ORDINATOR TRANSPORT
CO-ORDINATOR-HUMAN RESOURCES
CO-ORDINATOR-SUPPORT SERVICES
COMMUNITY HEALTH OFFICER
COMPUTER ASSISTANT
COMPUTER SERVICES OFFICER
COMPUTER SYSTEMS OFFICER
CONSULTANT (NOT MEDICAL)
CURATOR OF ART
DATA MANAGER

DIRECTOR (FINANCE & INFORMATION TECHNOLOGY)
DIRECTOR - OTHER THAN DIRECTOR OF NURSING OR MEDICINE
DIRECTOR OF ADMINISTRATION SERVICES
DIRECTOR OF INFORMATION SERVICES
ENGINEER
ESTABLISHMENTS OFFICER
EXECUTIVE ASSISTANT
EXECUTIVE OFFICER
FARM SUPERVISOR
FINANCE OFFICER
FIRE AND SAFETY OFFICER
GENERAL MANAGER
GENERAL SERVICES SUPERVISOR
GRADUATE ASSISTANT
GROUNDS SUPERVISOR
HEALTH EDUCATION OFFICER
HUMAN RESOURCES OFFICER
INDUSTRIAL OFFICER
INFORMATION PLANNING OFFICER
INFORMATION SERVICES OFFICER
LANGUAGE SERVICES OFFICER
LINEN SERVICES MANAGER
MANAGER (CSSD)
MANAGER ACCOUNTING SERVICES
MANAGER INFORMATION SYSTEMS
MANAGER ORDERLY & TRANSPORT SERVICES
MANAGER, OTHER THAN NURSE MANAGER
MANAGER-HUMAN RESOURCES
MATERIALS MANAGEMENT SYSTEMS CO-ORDINATOR
MEDICAL RECORDS OFFICER
MORBIDITY CODING OFFICER
MUSEUM CURATOR
OCCUPATIONAL HEALTH & SAFETY OFFICER
OCCUPATIONAL HEALTH OFFICER
PATIENTS' FEES OFFICER
PAYMASTER
PERSONNEL OFFICER
PHARMACY STORE OFFICER
PLANNING OFFICER
POLICY OFFICER/ANALYST
PRINCIPAL INDUSTRIAL OFFICER
PROJECT OFFICER
PROPERTY OFFICER
PUBLIC RELATIONS OFFICER
PURCHASING & STORES OFFICER
PURCHASING OFFICER
PURCHASING SUPPLY OFFICER
QUALITY ASSURANCE OFFICER
QUALITY IMPROVEMENT OFFICER
REHABILITATION OFFICER
RELIEVING OFFICER
RISK MANAGEMENT OFFICER
SALARIES OFFICER
SECURITY OFFICER
SENIOR ABORIGINAL HEALTH OFFICER
SERVICES OFFICER
STAFF CLERK
STORES OFFICER
SUPERINTENDENT
SUPPLY MANAGER

SUPPLY OFFICER
SYSTEMS ADMINISTRATOR
TRAINING OFFICER
TRANSPLANT CO-ORDINATOR
TRANSPORT LIAISON OFFICER
WARDEN
WAREHOUSE CONTROLLER
WORKERS COMPENSATION OFFICER
ACCOUNTS CLERK
ADMINISTRATIVE ASSISTANT
ASSISTANT CASHIER
ASSISTANT MEDICAL RECORDS OFFICER
ASSISTANT PATIENTS' FEES OFFICER
CLERK
COMMUNITY HEALTH CLERK
DATA PROCESSING OFFICER
ENGINEERING CLERK
ENQUIRIES CLERK
FILING CLERK
JUNIOR ADMINISTRATIVE ASSISTANT
KEY PUNCH OPERATOR
MAILROOM CLERK
MEDICAL RECORDS CLERK
MEDICAL SECRETARY
MEDICAL TYPIST
MORBIDITY CODING CLERK
P.A.T.S CLERK
PUBLIC RELATIONS ASSISTANT
PURCHASING CLERK
RECEIVAL LIAISON OFFICER
RECEPTIONIST
RESEARCH ASSISTANT
SALARIES CLERK
SECRETARY
SHORTHAND TYPIST
STORES ASSISTANT
SURGICAL APPLIANCE CLERK
SWITCHBOARD OPERATOR
TELEPHONIST
TRANSPORT CLERK
TYPIST
WORKERS COMPENSATION CLERK
ANAESTHETIC TECHNICIAN
ANIMAL HOUSE TECHNICIAN
ARCHITECTURAL DRAUGHTSPERSON
ART THERAPIST
ASSISTANT CATH LAB TECHNICIAN
ASSISTANT IN PHARMACY
AUDIO METRICIAN
AUDIO VISUAL ASSISTANT
BIO-ENGINEERING TECHNICIAN
CARDIAC TECHNICIAN
CARDIOLOGY TECHNICIAN
CATERING OFFICER
CATH LAB TECHNICIAN
CLINICAL PERFUSIONIST
CRAFT WORKER
CYTOTECHNICIAN
DARK ROOM ASSISTANT
DENTAL THERAPIST

DRAUGHTSPERSON
E.C.G RECORDIST
EEG/EMG RECORDIST
FILM PROCESSOR
HANDICRAFT INSTRUCTOR
HANDICRAFT WORKER
LABORATORY TECHNICIAN
LIBRARY ASSISTANT
LIBRARY TECHNICIAN
MAINTENANCE ENGINEER
MAXILLO FACIAL TECHNICIAN
MEDICAL ARTIST
MEDICAL PHOTOGRAPHER
MORTUARY TECHNICIAN
NEUROPHYSIOLOGY TECHNICIAN
OCCUPATIONAL THERAPY ASSISTANT
ORTHOPAEDIC APPLIANCE ASSISTANT
ORTHOPAEDIC APPLIANCE TECHNICIAN
ORTHOPAEDIC FOOTWEAR MAKER
ORTHOPAEDIC TECHNICIAN
ORTHOPTIST
ORTHOTIC TECHNICIAN
ORTHOTIST
OUTREACH WORKER
PHARMACY ASSISTANT
PHARMACY INTERN/TRAINEE
PHLEBOTOMIST
PHYSIOTHERAPIST ASSISTANT
PRODUCTION ASSISTANT
REHABILITATION TECHNOLOGIST
RESEARCH OFFICER
RESPIRATORY TECHNICIAN
SECURITY OFFICER
SHIFT ENGINEER
SPECIMEN CONTROL OFFICER
TECHNICAL ASSISTANT
TECHNICAL OFFICER
TECHNICIAN
TECHNICIAN (AIR SYSTEMS)
TECHNICIAN (BIOENGINEERING)
TECHNICIAN (CONDITION MONITORING)
TECHNICIAN (DIALYSIS)
TECHNICIAN (ELECTRICAL SYSTEMS)
TECHNICIAN (ELECTRONICS)
TECHNICIAN (INSTRUMENTS)
TECHNICIAN (MECHANICAL)
TECHNICIAN (PHYSICS)
TECHNICIAN (RADIOISOTOPES)
THEATRE TECHNICIAN
THERAPY ASSISTANT
TRADE INSTRUCTOR
UROLOGY ASSISTANT
UROLOGY TECHNICIAN
WELFARE OFFICER
X-RAY ASSISTANT
CATERING SERVICES SUPERVISOR
CLEANING SERVICES SUPERVISOR
CLERK IN CHARGE
CSSD SUPERVISOR
FOOD SERVICES SUPERVISOR

OFFICE SUPERVISOR
SUPERVISOR (ADMINISTRATION)
SUPERVISOR ADMISSION CENTRE
SUPERVISOR CODING
SUPERVISOR FILING SYSTEMS
SUPERVISOR PREPARATION
SUPERVISOR-CARDIAC CATHETER LABORATORY

ANY OF THE ABOVE CALLINGS MAY BE READ AS APPROPRIATE IN CONJUNCTION WITH THE FOLLOWING PREFIXES * SUFFIXES.

ASSISTANT
CHIEF
CO-ORDINATOR
DEPUTY
DIRECTOR
IN-CHARGE
MANAGER
OFFICER
REGIONAL
SENIOR
SUPERINTENDENT
SUPERVISOR
TRAINEE

*NOTE: In some cases, the use of the prefix may cause some callings/classes of employees to be considered under more than one heading.”

VARIATION RECORD

Graylands Selby-Lemnos and Special Care Health Services Award 1999

NO. PSAA 1 of 1999

Delivered 29/10/99 at 79 WAIG 3271

Consolidated

(EDITOR'S NOTE P 24/2005 AS DELIVERED 25-10-05 MNC2005WAIRC02884 - Incorrectly referred to the "Government Officers (Social Trainers) Award 1988 No. PSAA 20 of 1985" - Consequently the details/instructions of this order are not specified/detailed below

CLAUSE NO.	EXTENT VARIATION	OF ORDER NO.	OPERATIVE DATE	GAZETTE REFERENCE
1. Title				
1B. Minimum Adult Award Wage				
	Cl.	654/00	01/08/00	80 WAIG 3379
	Cl	752/01	01/08/01	81 WAIG 1721
	Cl	797/02	01/08/02	82 WAIG 1369
	Cl.	569/03	5/06/03	83 WAIG 1899 & 2290
	(9)	1197/03	1/11/03	83 WAIG 3537
	Cl	570/04	4/06/04	84 WAIG 1521
	Cl.	576/05	07/07/05	Unreported
	Cl.	957/05	07/07/06	Unreported
2. Arrangement				
	Cl	P3/04	10/05/04	84 WAIG 1082
	Del. Ins. 23.	P32/06	21/09/06	Unreported P32/06
3. Area of Operation				
4. Scope				
	Cl.	P35/02	16/10/02	82 WAIG 2908
	Cl	P3/04	10/05/04	84 WAIG 1082
5. Term of Award				
6. Definitions				
	Cl	P3/04	10/05/04	84 WAIG 1082
	Cl.	P32/06	21/09/06	Unreported P32/06
7. Contract of Service				
8. Certificate of Service				
9. Part Time Employment				
9A. Casual Employment				
10. Salaries				

11. Salaries Specified Callings

11A. Arbitrated Safety Net Adjustment

Cl.	654/00	01/08/00	80 WAIG 3379
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12. Annual Increments

13. Payment of Salaries

14. Higher Duties Allowance

15. Deleted

16. Hours

17. Shift Work Allowance

18. Overtime Allowance

19. Annual Leave

(2) & (9).	P32/06	21/09/06	Unreported P32/06
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20. Public Holidays

21. Long Service Leave

(1). Ins. new (12)&(13)	P32/06	21/09/06	Unreported P32/06
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22. Sick Leave

23. Maternity Leave

Deleted –now
Parental Leave

23. Parental Leave

Ins	P32/06	21/09/06	Unreported P32/06
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24. Leave Without Pay

Cl.	P32/06	21/09/06	Unreported P32/06
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25. Study Leave

26. Short Leave

27. Leave to Attend Union Business

28. Trade Union Training Leave

29. Leave For Training With Defence Force Reserves

30. Camping Allowance

31. District Allowance

32. Disturbance Allowance

33. Diving Allowance

34. Flying Allowance

35. Motor Vehicle Allowance (5)	P56/00	10/10/00	80 WAIG 5158
36. Property Allowance			
37. Protective Clothing Allowance			
38. Relieving Allowance (4)	P56/00	10/10/00	80 WAIG 5158
(4)	P17/02	01/07/02	82 WAIG 2454
(4)	P24/05	25/10/05	UnreportedP24
Corr Ord (4)	P24/05	19/10/05	UnreportedP24
(4)	P 15/06	15/08/06	Unreported P 15/06
39. Removal Allowance (1)(c)(d); (6)	P56/00	10/10/00	80 WAIG 5158
(1)(c)(d); (6)	P17/02	01/07/02	82 WAIG 2454
Ord (1)(c)(d); (6)	P 24/05	25/10/05	UnreportedP24
Corr Ord (1)(c)(d); (6)	P24/05	19/10/05	UnreportedP24
(1) & (6)	P 15/06	15/08/06	Unreported P 15/06
40. Sea Going Allowance			
41. Transfer Allowance			
42. Travelling Allowance			
43. Weekend Absence From Residence			
44. Preservation of Rights			
45. Time and Salaries Record			
46. Notification of Change			
47. Right of Entry			
48. Copies of Award			
49. Establishment of Consultative Mechanisms			
50. Award Modernisation			
51. Special Conditions			
52. Transition			
53. Allowances			
54. Adjustment of Salaries			
55. Amalgamation of Salary Classes			
56. Leave for International Sporting Events			
57. Witness and Jury Service			
58. Liberty to Apply			

59. Salary Packaging

60. Dispute Settlement Procedure

(7) P3/04 10/05/04 84 WAIG 1082

Schedule A Salaries

Cl. 654/00 01/08/00 80 WAIG 3379
 Cl 752/01 01/08/01 81 WAIG 1721
 Sch. 797/02 01/08/02 82 WAIG 1672
 Sch. P 28/02 23/08/02 82 WAIG 2455
 Cl. 569/03 5/06/03 83 WAIG 1899 &
 2290
 Cl. 576/05 07/07/05 Unreported
 Cl. 957/05 07/07/06 Unreported

Schedule B Salaries - Specified Callings

Cl. 654/00 01/08/00 80 WAIG 3379
 Cl 752/01 01/08/01 81 WAIG 1721
 Sch. 797/02 01/08/02 82 WAIG 1672
 Cl. 569/03 5/06/03 83 WAIG 1899 &
 2290
 Cl 570/04 4/06/04 84 WAIG 1521 &
 1812
 Cl. 576/05 07/07/05 Unreported
 Cl. 957/05 07/07/06 Unreported

Schedule C Camping Allowance

Sch. P56/00 16/05/00 80 WAIG 5158
 Sch P56/00 01/07/00 80 WAIG 5158
 Sch P34/01 05/12/01 82 WAIG 67

Schedule D District Allowance

(a) & (b) P15/00 01/01/00 80 WAIG 4818
 Sch P17/02 01/07/02 82 WAIG 2454
 Sch P29/03 09/03/04 84 WAIG 526
 Sch. P19/04 14/09/04 84 WAIG 3268
 Sch. P15/05 01/07/05 unreported

Schedule E Motor Vehicle Allowance

Sch. P13/03 19/09/03 83 WAIG 3343

Schedule F Motor Vehicle Allowance

Sch. P13/03 19/09/03 83 WAIG 3343

Schedule G Motor Cycle Allowance

Sch. P13/03 19/09/03 83 WAIG 3343

Schedule H Overtime

Sch P56/00 01/07/00 80 WAIG 5158
 Sch. P32/00 12/10/00 81 WAIG 253
 Sch. PTI P63/00 18/01/01 81 WAIG 651
 Part I P50/01 18/01/02 82 WAIG 227
 Part II P17/02 01/07/02 82 WAIG 2454
 Sch. P40/02 13/09/02 82 WAIG 2665
 Part I P17/04 15/10/04 84 WAIG 3483
 Part II P 24/05 25/10/05 UnreportedP24
 Corr Ord Part II P 24/05 19/10/05 UnreportedP24
 Sch P 15/06 15/08/06 Unreported P 15/06

Schedule I Travelling, Transfer and Relieving Allowance

Sch.	P56/00	16/05/00	80 WAIG 5158
Sch	P56/00	01/07/00	80 WAIG 5158
Sch	P34/01	05/12/01	82 WAIG 67
Sch	P14/03	07/11/03	83 WAIG 3591
Sch (Corr)	P14/03	07/11/03	84 WAIG 166
Sch	P24/03	09/03/04	84 WAIG 525
Sch	P32/04	21/01/05	85 WAIG 680
Sch	P38/05	12/12/05	UnreportedP38

Schedule J Shiftwork Allowance

Schedule K Diving, Flying and Seagoing Allowance

Sch.	P32/00	12/10/00	81 WAIG 253
Sch.	P63/00	18/01/01	81 WAIG 650
Sch.	P50/01	18/01/02	82 WAIG 227
Sch.	P40/02	13/09/02	82 WAIG 2665
Sch	P24/03	09/03/04	84 WAIG 525
Sch	P17/04	15/10/04	84 WAIG 3483

Schedule L Named Parties

CI	P3/04	10/05/04	84 WAIG 1082
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Schedule M HSOA Callings

Title	P3/04	10/05/04	84 WAIG 1082
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