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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s.23 application for award or variation of award

**The Community and Public Sector Union
(State Public Services Federation Tasmania) Inc.**
(T12483 of 2005)

COMMUNITY AND HEALTH SERVICES (PUBLIC SECTOR) AWARD

GENERAL CONDITIONS OF EMPLOYMENT AWARD

COMMISSIONER T J ABEY

**Award variation – kilometreage allowance – approved – operative date ffpp 5
January 2006**

COMMUNITY AND HEALTH SERVICES (PUBLIC SECTOR) AWARD

ORDER BY CONSENT –

No. 1 of 2006

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AMEND THE **COMMUNITY AND HEALTH SERVICES (PUBLIC SECTOR) AWARD** IN THE FOLLOWING MANNER:

By deleting from Clause 11 – Allowances, subclause (e) – Kilometreage, and inserting in lieu thereof the following:

“(e) Kilometreage

(i) Required User Category

Where an employee is required in writing by the employer to have available on a regular basis a private motor vehicle which the employee will be required to use for official purposes, and the employee agrees in writing to do so an allowance shall be paid for such use in accordance with the following rates:

Annual Kilometreage Travelled on Duty in a Financial year	Cents per Kilometre	
	Rate 1 2 litres and above	Rate 2 Less than 2 Litres
First 10,000 kilometres	67.80 (100%)	58.31 (86%)
Any additional kilometres	35.93 (53%)	31.19 (46%)

PROVIDED that where the employer wishes to withdraw the requirement to provide a private motor vehicle then, except where special circumstances exist, at least one year's notice in writing shall be given, and the notice period shall specified to end on 30 June.

(ii) Occasional User Category

Where an employee is not required to provide a private motor vehicle for official use as prescribed in subclause (e) - Kilometreage, paragraph (i) - Required User Category but otherwise receives approval from the employer to use a private motor vehicle for official purposes on a occasional basis, an allowance shall be paid in accordance with the following rates:

Annual Kilometreage Travelled on Duty in a Financial year	Cents per Kilometre	
	Rate 3 2 litres and above	Rate 4 Less than 2 Litres
First 10,000 kilometres	45.20 (100%)	38.87 (86%)
Any additional kilometres	23.96 (53%)	20.79 (46%)

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- (iii) For the purpose of subclause (e) - Kilometrage, paragraphs (i) - Required User Category and (ii) - Occasional User Category, the rates specified therein shall apply as follows:

RATES 1 and 3 Apply to motor vehicles generally recognised as having an engine capacity of 2:0 litres or more and include rotary engines.

RATES 2 and 4 Apply to motor vehicles generally recognised as having an engine capacity of less than 2:0 litres.

- (iv) The rates specified in subclause (e) - Kilometrage, paragraph (i) - Required User Category and (ii) - Occasional User Category, shall not be varied as a consequence of National Wage Case decisions. The rates shall be varied upon application subsequent to 30 March and 30 September of each year after the Hobart Transportation, Private Motoring subgroup, Consumer Price Index Numbers for the quarters ending 30 March and 30 September respectively, become available. The Rate 1 and Rate 3 variations for the first 10,000 kilometres travelled shall be calculated in accordance with the formula specified in decision T.33 of 1985 dated 13 June 1985.

Variations to the other rates specified in the tables in subclause (e) - Kilometrage, paragraphs (i) - Required User Category and (ii) - Occasional User Category, shall be calculated by applying the percentage shown in brackets to the relevant first 10,000 kilometres rate (as varied) shown as 100 per cent.

- (v) An employee shall not receive an allowance for kilometres travelled in excess of 16,000 kilometres in any one financial year unless authorised by the employer concerned on the recommendation of the Head of Agency, to travel a greater distance in that year.

- (vi) In addition the following allowances shall be paid to employees:

- (1) Where stationed in Category R as provided in subclause (b) - District Allowances, paragraph (ii), subparagraph (1) of this clause, \$24.70 per month plus \$9.90 per 1,600 kms travelled on duty.
- (2) Where stationed in Category B as provided in subclause (b) - District Allowance, paragraph (ii), subparagraph (2) of this clause, \$16.40 per month plus \$9.90 per 1,600 kms travelled on duty.
- (3) Where authorised to use a utility, four-wheel drive motor vehicle or any other special type of motor vehicle approved by the employer concerned - \$9.90 per month.
- (4) Where authorised to use a trailer attached to the motor vehicle 2.97 cents for each kilometre travelled on duty with the trailer attached.
- (5) Where authorised to use a motor vehicle on work involving the regular carrying of heavy equipment - \$9.90 per month.

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- (6) Where authorised to use a motor cycle - 9.67 cents for each kilometre travelled on duty.
- (vii) Where an employee is required to provide a private motor vehicle in accordance with paragraph (i) - Required User Category of this clause and the distance travelled on duty in any financial year does not exceed 4,000 kilometres, the employee shall be paid an allowance calculated by multiplying the appropriate rate per kilometre by the difference between the actual number of kilometres travelled on duty during that year and 4,000 kilometres.
- (viii) Where a part-time employee is eligible for any payment under subclause (e) - Kilometrage, paragraph (vii) of this clause, such allowance shall be calculated on the proportion of the total hours worked in that year by the part-time employee to the annual standard hours for a full-time employee of the same classification.
- (ix) Unless otherwise directed by the employer, kilometrage on duty shall be the distance travelled from an employee's place of employment to his or her destination and return to his or her place of employment.
- (x) A kilometrage allowance in excess of or at variance with the rates set forth in paragraphs (i) - Required User Category and (ii) - Occasional User Category of this subclause may be paid if, on the determination of the employer concerned, special circumstances exist which justify such excess or variation."

OPERATIVE DATE

This variation shall come into operation from the beginning of the first full pay period to commence on or after 5 January 2006.

Tim Abey
COMMISSIONER

6 January 2006