IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.760 of 1987

IN THE MATTER OF AN APPLICATION BY THE TASMANIAN PUBLIC SERVICE ASSOCIATION TO VARY THE GENERAL CONDITIONS OF SERVICE AWARD

RE: HIGHER DUTIES CLAUSE

ORDER -

No. 5 of 1988

AMEND THE GENERAL CONDITIONS OF SERVICE AWARD IN THE FOLLOWING MANNER:
1. Delete subclause P. Other Allowances of Clause 8 - Allowances and insert in lieu thereof the following:

"Q. OTHER ALLOWANCES

Until otherwise determined by the Tasmanian Industrial Commission, and where not otherwise specifically determined by this Award, allowances for proficiency, relieving duty, extra duty, tools and clothing, shall be granted to employees covered by this Award, at the rate and in accordance with the terms and conditions for the time being prescribed by regulation for employees in the State Service."

2. Insert after subclause 0 Travelling the following new subclause:

"P. HIGHER AND MORE RESPONSIBLE DUTIES ALLOWANCE

1. Where a permanent employee is directed by the Controlling Authority to perform temporarily the duties of an employee with a higher classification for a period of five days or more, that employee shall be paid an allowance equal to the difference between the employees own salary and the minimum salary of the higher office.

2. (a) Where an employee is promoted to a higher office in which that employee has previously been performing the duties in a temporary capacity, that employee will receive the increment to which the employee would normally have been entitled had the employee been promoted to the position at the commencement of the period of acting duty.

    (b) Where an employee continues to perform the higher duties as provided for in subclause (1) for a period of more than twelve months an increment if provided for in the higher classified position shall be paid.

    PROVIDED THAT notwithstanding anything contained in this subclause, no employee shall be entitled to receive any increase in salary by virtue of this subclause unless, in the opinion of the controlling authority, his conduct, diligence and efficiency during the twelve months immediately prior to the date from which such increase would be payable shall have been satisfactory.

3. (a) Where an employee is required to perform duties of a more responsible character than the ordinary duties of his or here office, the Controlling Authority may authorise a more responsible duties allowance in accordance with the criteria set out in sub paragraph (b).

    (b) The amount of the allowance prescribed in subclause (3a) shall be by reference to the relative weight of the more responsible duties in comparison to that of the employee's normal duties. The relative weight is then expressed as a percentage of the employee's current substantive
salary. This figure, subject to the award variations, is the allowance to be paid.

PROVIDED THAT the "relative weight" of the more responsible duties, when expressed as a percentage shall not exceed 75% of the difference between the employee's substantive salary and the minimum salary of the higher position.

4. Where an employee receiving an allowance under this sub clause proceeds on approved leave, sick leave or leave in lieu of overtime, the employee will continue to receive that allowance provided that the duties continue after the period of such leave.

5. Payment for overtime shall be at the classification rate inclusive of the allowance.

DATE OF OPERATION

The foregoing variations shall take effect from the beginning of the first full pay period commencing on or after 1 August 1988.

R.K. Gozzi
COMMISSIONER

4 July 1988