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IN THE TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T.432 and T.435 of 1986

IN THE MATTER OF APPLICATIONS BY
THE TASMANIAN PUBLIC SERVICE
ASSOCIATION AND THE TASMANIAN
TRADES AND LABOR COUNCIL TO VARY
ALL PUBLIC SECTOR AWARDS, AND TO
VARY ALL PUBLIC AND PRIVATE SECTOR
AWARDS AND AGREEMENTS
RESPECTIVELY

**RE: NATIONAL WAGE 2.3% INCREASE
IN SALARIES, WAGES AND
ALLOWANCES**

ORDER -

**No. 3 of 1986
(Consolidated)**

AMEND THE **GENERAL CONDITIONS OF SERVICE AWARD** BY DELETING ALL
CLAUSES CONTAINED THEREIN, AND INSERTING IN LIEU THEREOF THE FOLLOWING:

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1. TITLE

This award shall be known as the "General Conditions of Service Award".

2. SCOPE

Subject to the exceptions and conditions contained herein, this award shall apply to all persons permanently or temporarily employed under the provisions of either:

- (a) the Public Service Act 1973, in the Public Service of the State;
- (b) the Mental Health Services Act 1967, in the Mental Health Service;
- (c) the Tasmanian Development Act 1983, by the Tasmanian Development Authority;
or
- (d) Section 46C of the Education Act, 1932, by the Schools Board of Tasmania.

3. ARRANGEMENT

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4. DATE OF OPERATION

This award shall come into operation as from the first full pay period commencing on or after 2 July 1986.

Provided that, it is a term of this award that the unions undertake that, for a period of six months, they will not pursue any extra claims, award or overaward, except where consistent with the Principles of Wage Fixation of the Tasmanian Industrial Commission.

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5. SUPERSESION AND SAVINGS

This award incorporates and supersedes the General Conditions of Service Award (No. 1 of 1986 - Consolidated) and the amendment (No. 2 of 1986) made thereto.

Provided that no right, obligation or liability incurred or accrued under any of the abovementioned provisions shall be affected by the replacement and supersession.

Provided further that the provisions of the Public Service Act 1973 and the Regulations made thereunder, the Mental Health Services Act 1967 and the Regulations made thereunder, and the Tasmanian Development Act 1983 and the Regulations made thereunder, and Part IVA of the Education Act 1932 and the Regulations made thereunder, as the case may require, shall continue to apply to officers or classes of officer covered by this award as and where such Acts and Regulations are applicable, save insofar as the salary to be received by, and the conditions of service of such officers or classes of officer are inconsistent with the provisions of this award.

6. PARTIES AND PERSONS BOUND

Unless otherwise specified, this award shall have application to and be binding upon:

A. The following organisations, their officers and members:-

- (i) the Association of Professional Engineers, Australia (Tasmanian Branch);
- (ii) the Electrical Trades Union of Australia (Tasmanian Branch);
- (iii) the Federated Engine Drivers' and Firemen's Association of Australasia (Tasmanian Branch);
- (iv) the Heads of Tasmanian Government Departments Association;
- (v) the Hospital Employees' Federation of Australia, Tasmanian Branch No. 1 Branch;
- (vi) the Hospital Employees' Federation of Australia, Tasmanian Branch No. 2 Branch;
- (vii) the Printing and Kindred Industries Union, Tasmania Branch;
- (viii) the Royal Australian Nursing Federation (Tasmanian Branch);
- (ix) the Tasmanian Prison Officers' Association;
- (x) the Tasmanian Salaried Medical Practitioners' Society; and
- (xi) the Tasmanian Public Service Association.

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- B. The Tasmanian Trades and Labor Council.
- C. The Public Service Board of Tasmania in relation to all officers (as defined) employed in the Public Service of the State, whether members of a registered organisation or not.
- D. The Mental Health Services Commission in relation to all officers (as defined) employed in the Mental Health Service, whether members of a registered organisation or not.
- E. The Tasmanian Development Authority in relation to all officers (as defined), whether members of a registered organisation or not.
- F. The Schools Board of Tasmania in relation to all officers (as defined), whether members of a registered organisation or not.

7. DEFINITIONS

In this award, unless the contrary intention appears

'Administering Authority' means the Mental Health Services Commission or the Board of Management of the Royal Derwent Hospital;

'Afternoon Shift' means a shift terminating after 7 p.m. and at or before midnight.

'Continuous Work' means work carried on with consecutive shifts of men throughout the twenty-four hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the controlling authority or administering authority as the case may be;

'Controlling Authority' means

- (i) in the case of the Public Service of the State, the Public Service Board;
- (ii) in the case of the Mental Health Services, the Mental Health Services Commission solely, and not a controlling authority as prescribed in Regulation 5 of the Mental Health Services (Officers) Regulations 1968;
- (iii) in the case of the Tasmanian Development Authority, the Tasmanian Development Authority; and
- (iv) in the case of officers appointed pursuant to Section 46C of the Education Act 1932, the Schools Board of Tasmania.

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'Isolated Area' means any area, centre, district or location, embraced by the Commonwealth Taxation Zone B prescription, together with such other areas, centres, districts or locations as may be approved by the Public Service Board, including the following: King Island, Flinders Island, Cape Barren Island, Maria Island and Bruny Island;

'Night Shift' means a shift terminating after midnight and at or before 8 a.m.;

'Normal Salary Rate' means an officer's normal salary exclusive of all allowances;

'Officer' means a person permanently or temporarily employed under the provisions of either

- (i) the Public Service Act 1973, in the Public Service of the State;
- (ii) the Mental Health Services Act 1967, in the Mental Health Service;
- (iii) the Tasmanian Development Act 1983, by the Tasmanian Development Authority;
or
- (iv) Section 46C of the Education Act 1932, by the Schools Board of Tasmania.

'Public Holiday' means any day which is a bank holiday or bank part holiday under the Bank Holidays Act 1919, either throughout the State or in any particular locality thereof, or any specified day or specified part day appointed by the Governor as a holiday under Section 91(3) of the Public Service Act 1973.

'Seven Day Shift Worker' means a shift worker regularly rostered for duty in accordance with a roster covering a period of seven days per week;

'Shift Worker' means an officer who is regularly required to undertake shift and/or weekend work (other than overtime) in accordance with a roster approved by the controlling authority concerned;

8. ALLOWANCES

A. COXSWAIN'S CERTIFICATE ALLOWANCE

An officer whose classification and/or training does not ordinarily comprehend the attainment of a Coxswain's Certificate and/or Engine Drivers' Certificate, but who in the performance of his duties may from time to time require a current Coxswain's and/or Engine Drivers' Certificate issued by the appropriate Navigation and Survey Authority, shall, upon the determination of the controlling authority, be paid an allowance at the rate of **\$431** per annum.

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B. DIVING ALLOWANCE

An officer not classified as a Diver, but who is qualified to dive and is directed by his controlling authority to perform underwater duty, shall be paid an allowance at a rate not exceeding **\$386** per annum.

PROVIDED THAT such officer shall only dive in safe working conditions. Responsibility for determining what constitutes safe working conditions shall rest upon the controlling authority or the appropriate inspecting authority as the case may be.

C. DIVING OPERATIONS SUPERVISION ALLOWANCE

An officer who -

- (a) holds formal qualifications as a diving inspector; or
- (b) is otherwise accredited as a diving inspector; and
- (c) is in any case deemed by the Secretary for Labour to be suitably qualified and required to act as an inspector of estuaries and inland waters diving operations;

shall be paid an allowance of **\$386** per annum.

D. ELECTRICAL TRADESMAN'S ALLOWANCE

1. An electrical tradesman who holds an 'A' Grade Wireman's Licence shall be paid in addition to his normal salary rate an allowance of **\$13.10** per week.
2. An electrical tradesman who holds an Electronics Certificate and who meets fully the requirements as defined herein shall be paid a Special Class Electricians Certificate allowance of **\$21.40** per week.

For the purpose of this paragraph 'Electrician Special Class' means an electrical fitter or electrical mechanic who is mainly engaged on complex or intricate circuitry, or both, the performance of which work requires the use of 'additional knowledge' as herein defined.

For the purposes of this paragraph 'additional knowledge' means knowledge in excess of that gained by the satisfactory completion of the appropriate technical college trade course which has been acquired by virtue of his

- (a) having had not less than two years on-the-job experience as a tradesman working mainly on such complex or intricate circuitry work as will enable the tradesman to perform such work unsupervised where necessary and practicable; and

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- (b) having, by virtue of either the satisfactory completion of a prescribed post-trade course in industrial electronics or the achievement of a comparable standard of knowledge by other means including the on-the-job experience referred to in subparagraph (a) hereof, gained a sufficient comprehension of such complex or intricate circuitry work as will enable the tradesman to examine, diagnose and modify systems comprising inter-connected circuits.

For the purposes of this paragraph the following courses are deemed to be prescribed post-trade courses in industrial electronics:

- (i) Post-Trade Industrial Electronics Course of the New South Wales Department of Technical Education;
- (ii) The Industrial Electronics Course (Grades 1 and 2) as approved by the Education Department of Victoria;
- (iii) The Industrial Electronics Course of the South Australian School of Electrical Technology;
- (iv) Industrial Electronics (Course 'C') of the Department of Education, Queensland;
- (v) The Industrial Electronics Course of the Department of Technical and Further Education, Tasmania; and
- (vi) A Certificate in Electrical Engineering issued by a Technical and Further Education Institution.

E. FIRST AID CERTIFICATE ALLOWANCE

An officer holding a current St. John Ambulance First Aid Certificate, or a certificate deemed by the controlling authority to be equivalent thereto, who is nominated and required by the controlling authority to perform first aid duty, shall be paid an allowance of **\$368** per annum.

F. FOUL AND NAUSEOUS LINEN ALLOWANCE

1. An officer or relieving officer employed on the laundry staff of a hospital, home or institution, who is actually required to handle unusually foul or nauseous linen may, on the determination of the controlling authority or administering authority, as the case may be, be paid in addition to his normal salary an allowance of **\$7.20** per week.

PROVIDED THAT this payment shall not apply to a Laundry Superintendent, Deputy Laundry Superintendent or other similar classification except when actually relieving the officer usually required to handle such foul or nauseous linen, but only as on and from the twentieth day of September 1983.

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2. Utility Officers - Risdon Prison:-

Until further order a Senior Utility Officer employed in Risdon Prison who is regularly required to clear blocked sewerage or other effluent discharge pipes, including laundry waste traps, shall be deemed to have qualified for payment of this allowance, as on and from the twentieth day of September 1983, for all purposes other than overtime or penalty addition.

G. LICENCE NOMINEE ALLOWANCE

An officer who holds an 'A' Grade Wireman's Licence and is employed as an electrical mechanic and who is the nominee of the controlling authority or administering authority, as the case may be, of a hospital or institution registered with the Hydro-Electric Commission as an electrical contractor, and provided such electrical mechanic is at all times acceptable to the said Commission, he shall be paid, whilst acting as such nominee, a licence nominee allowance of **\$36.30** per week.

PROVIDED THAT this allowance shall apply to only one officer in each hospital or institution so registered, except that it may be extended to include a nominee, approved by the Hydro-Electric Commission, on those occasions where such nominee is required to relieve the permanent nominee during periods of approved leave of absence exceeding five working days.

H. LICENCE REIMBURSEMENT

An officer in an occupational group whose duties are such that he is not ordinarily expected to drive a motor vehicle to perform his duties, but through changed circumstances necessarily obtains and maintains a driving licence together with such endorsements as may be appropriate because he is assigned to duties requiring a licence, shall be entitled to reimbursement of the cost levied by the licensing authority issuing such licence or endorsement.

Explanatory Note

It is intended that this clause shall apply to a limited number of officers. It does not apply to Chauffeurs, Field Officers who regularly drive in their day-to-day duties, or to Nurses as a general occupational group, but some special classes of Nurses who are required as an incidental but necessary part of their duties to drive a motor vehicle might be eligible, e.g. Domiciliary Nurses. Domestics employed as visiting 'home helps' might be another example of those eligible for reimbursement.

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I. LOCATION ALLOWANCES

1. Camp Allowance

Where in the performance of his duties an officer is required to camp and tents or other means of accommodation are provided, and he is absent from his normal place of residence, he shall be paid a camp allowance in accordance with the following rates:

	Rates per Day
	\$
(a) Where a cook is provided	12.70
(b) Where a cook is not provided	15.50

Such allowance to be inclusive of all special conditions such as the carrying of tents and equipment, travelling over rough terrain and for work performed in severe climatic conditions.

2. District Allowance

2.1 The purpose of this General Allowance is to compensate for excess costs necessarily incurred by an officer living in an 'isolated area' and without limiting the foregoing includes partial reimbursement for STD, freight, fuel and depreciation costs.

2.2 Where a person is stationed permanently in one or other of the following districts he may, on the determination of the controlling authority, be paid an allowance in accordance with the following rates:

(a) Category R	Rate Per Annum
	\$
Remote locations approved as such by the Public Service Board including Bass Strait Islands, Maria Island and Bruny Island.	
(i) Person with dependent relatives residing with him:	1504
(ii) Other (no dependants)	751

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(b) Category B

Locations under the Commonwealth
Taxation Zone B prescription.

- | | |
|---|-----|
| (i) Person with dependent relatives
residing with him: | 751 |
| (ii) Others (no dependants) | 376 |

(c) Category S

Special Locations as may be
approved by the Public Service Board -

- | | |
|--|-----|
| (i) Person with dependent relatives
residing with him | 376 |
| (ii) Others (no dependants) | 190 |

PROVIDED THAT an officer with dependants residing with him shall be regarded as an officer without dependants if his spouse, of entitlement arising from employment, is in receipt of a district allowance.

PROVIDED FURTHER that a junior officer ineligible by age from holding a driving licence, shall be paid a rate calculated on the basis of the proportion that the junior officer's salary bears to the appropriate adult salary rate, provided that the junior officer shall in any case receive not less than 50 per cent of the relevant single adult allowance.

PROVIDED FURTHER that a junior officer qualified by age to hold a driving licence shall be paid the full adult single allowance.

3. Mainland Allowance

Where an officer recruited in this State is transferred from this State in the course of his duties to a headquarters situated on the mainland of Australia and is permanently stationed thereat, he may, on the determination of the controlling authority concerned, be paid an allowance in accordance with the following rates:

- (a) in the case of an officer with dependants residing with him at a rate not exceeding **\$1517** per annum;
- (b) in the case of an officer without dependants, at a rate not exceeding **\$1254** per annum for such period and at such rate as the Tasmanian Industrial Commission may from time to time determine.

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PROVIDED THAT an officer with dependants residing with him shall be regarded as an officer without dependents if his spouse, of entitlement arising from her own employment, is in receipt of a mainland allowance.

J. MEAL ALLOWANCES

- 1. Where an officer is required to commence duty at his headquarters not less than one and a half hours before, or to remain on duty for not less than one and a half hours after, the normal hours of duty, and that requirement necessitates his obtaining a meal away from home, that officer shall, subject to this paragraph, be paid a meal allowance at the following rates:

Meal	Rate of Allowance
	\$
Breakfast	4.40
Lunch (or midday meal)	4.85
Dinner (or evening meal)	8.60

PROVIDED THAT where an officer who is required to work overtime on a Saturday, Sunday or public holiday, has been given prior notice thereof the previous day or earlier, he shall not be entitled to the payment of meal allowances BUT where such prior notice has not been given he shall attract such payment.

- 2. Where the duties of an officer require him to travel from his headquarters and he is more than 10 miles or 16 kilometres therefrom at his normal meal hour, that officer shall, subject to this paragraph, be paid
 - (a) in the case of a meal purchased by the officer at any hotel, boarding house, or public eating place, a meal allowance at the following rates:

Meal	Rate of Allowance
	\$
Breakfast	4.40
Lunch (or midday meal)	4.85
Dinner (or evening meal)	8.60

- (b) in the case of a meal provided by the officer himself, a meal allowance of **\$1.55** for each meal so provided.
- 3. The meal allowances prescribed in this subclause shall not be paid unless the permanent head of the department in which the officer is employed is satisfied that the officer was required to perform his duties at such a place and time that it was not reasonably practical for him to return to his normal place of residence for a meal, and that the officer, in the case where a meal is purchased, did in fact incur the expense claimed, and unless -

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- (a) in the case of breakfast, the officer was required to commence duty not less than one and a half hours before his normal hour for commencing duty; and
 - (b) in the case of dinner, the officer was required to remain on duty for not less than one and a half hours after his normal hour for ceasing duty.
4. A meal allowance in excess of or at variance with the rates set forth in this subclause may be paid if, on the determination of the controlling authority concerned, special circumstances existed which justified the excess or variation.

K. PLUMBER'S NOMINEE ALLOWANCE

An officer who is a registered plumber, other than a Foreman Plumber (classified as such), and who is required to act as the nominee of the Department or employing authority and to assume responsibility in his own name for the plumbing work of that Department or employing authority shall be paid, whilst acting as such nominee, an allowance of **\$36.30** per week.

PROVIDED that a registered plumber, relieving or acting in the capacity of Foreman Plumber shall not, whilst so acting, be eligible for any such allowance.

L. PLUMBER'S REGISTRATION ALLOWANCE

An officer who is a plumber registered as such by the appropriate State authority shall, in addition to his normal salary, be paid a Registration Allowance at the rate of **\$14.20** per week.

M. RECREATION LEAVE ALLOWANCE

During a period of recreation leave an officer shall be paid an allowance by way of additional salary, calculated at the rate of salary prescribed for the relevant classification by an award of the Tasmanian Industrial Commission as follows:

Officers other than those employed on Shift Work - An officer who during the period of such recreation leave would have worked on day work only - an allowance calculated at the rate of 17.5 per cent of his normal salary, plus where applicable, any allowance of a permanent nature payable to such officer and deemed by the controlling authority concerned to be in the nature of additional salary.

Shift Worker - An officer who but for the period of recreation leave would have worked shift work - an allowance calculated at the rate of 17.5 per cent of his normal salary plus, where applicable any allowances of a permanent nature payable to such officer and deemed by the controlling authority to be in the nature of additional salary. Provided that an officer who would have received shift payments as prescribed by Clause 10B paragraph 1 and Clause 10B paragraph 4 of this award had he not been on recreation leave during the relevant period, and where such shift payments would have entitled him to a greater monetary amount than an

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allowance of 17.5 per cent of his normal salary plus where applicable allowances, his recreation leave allowance shall be calculated as an amount equivalent to the shift payment he would have received in accordance with his projected shift roster.

PROVIDED THAT such allowance shall

- (a) be calculated on the basis of a maximum period in any one leave year as follows:
 - (i) in the case of a seven-day shift worker a period of five weeks recreation leave; and
 - (ii) in all other cases a period of four weeks recreation leave;
- (b) in no case where the allowance is calculated on the basis of 17.5 per cent of normal salary shall it exceed **\$362** per annum;
- (c) not apply to proportionate recreation leave accrued by an officer in the leave year of the year of termination of service where such officer voluntarily resigns or whose services are terminated for disciplinary or other good reason;
- (d) be calculated in the case of -
 - (i) a non-shift worker, at the salary rate applicable to the officer concerned, on the first day of October in the year in which the recreation leave is credited; and
 - (ii) a shift worker, where the allowance is calculated as to projected shift roster, at the salary rate applicable to the officer concerned as at the date of commencement of recreation leave; and
 - (iii) a shift worker, where the allowance is calculated at 17.5 per cent of his normal salary, at the salary rate applicable to the officer concerned on the first day of October in the year in which the recreation leave is credited.
- (e) be calculated at the salary rate applicable to the officer concerned on the first day of October in the year in which the recreation leave is credited;
- (f) not be cumulative. Any balance of such allowance due to an officer at the expiration of a period of one year following the date upon which the recreation leave was credited shall be paid to such officer as soon as is practicable after the date of the expiration of such period.

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N. TRAINING COURSES AND CONFERENCES ALLOWANCE

An officer who is required or is authorised to attend either a training course, conference or other similar function where full accommodation is provided at no cost to such officer, he shall be paid an allowance for incidental expenses for each day of such attendance at the rate of:

	Rate per Day \$
(a) Within this State	7.70
(b) Outside this State	10.75

0. TRAVELLING

1. Excess Fares

An officer who in the normal course of employment is not required to travel to different locations for the performance of his duties, but with the knowledge and approval of the controlling authority, is required for short periods to attend work at a location other than his regular place of employment shall be paid such reasonable additional fares necessarily incurred.

PROVIDED THAT no officer shall be entitled to the benefits of this paragraph for more than three months in any one continuous period.

2. Kilometrage Allowance

2.1 Required User Category

Where an officer is required in writing by the controlling authority to have available on a regular basis a private motor vehicle which the officer will be required to use for official purposes, and the officer agrees in writing so to do 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	35.03 (100%)	30.13 (86%)
- Any additional kilometres	18.57 (53%)	16.11 (46%)

PROVIDED THAT where the controlling authority 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 be specified to end on 30 June.

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2.2 Occasional User Category

Where an officer is not required to provide a private motor vehicle for official use as prescribed in subparagraph 2.1 but otherwise receives approval from the controlling authority to use a private motor vehicle for official purposes on an 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	23.35 (100%)	20.08 (86%)
- Any additional kilometres	12.38 (53%)	10.74 (46%)

PROVIDED THAT the rates set out in this subparagraph shall not apply until such time as they exceed the rates which were effective as at 12 June 1985. The rates effective as at 12 June 1985 shall be known as the "Interim Occasional User Allowance" and shall not be varied.

PROVIDED ALSO THAT an officer entitled to Rate 4 who as at 12 June 1985 was entitled to the rates which are now Rate A of the Interim Occasional User Allowance, set out below, for the use of a particular vehicle, shall continue to receive Rate A for the use of that same vehicle until the Rate 4 rates exceed **28.77** cents and **15.14** cents, where applicable.

INTERIM OCCASIONAL USER ALLOWANCE

ANNUAL KILOMETREAGE TRAVELLED ON DUTY IN A FINANCIAL YEAR	CENTS PER KILOMETRE	
	Rate A 16 HP or more inc. rotary engines	Rate B Less than 16 HP
- First 10,000 kilometres	28.77	24.62
- Any additional kilometres	15.14	13.12

2.3 For the purposes of subparagraphs 2.1 and 2.2, 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.

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- 2.4 The rates specified in subparagraphs 2.1 and 2.2 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 T33 of 1985 dated 13 June 1985. Variations to the other rates specified in the tables in subparagraphs 2.1 and 2.2 shall be calculated by applying the percentage shown in brackets to the relevant first 10,000 kilometres rate (as varied) shown as 100%.
- 2.5 An officer shall not receive an allowance for kilometres travelled in excess of 16,000 kilometres in any one financial year unless authorised by the controlling authority concerned on the recommendation of the permanent head of the department, to travel a greater distance in that year.
- 2.6 In addition the following allowances shall be paid to officers:
- (a) Where stationed in Category R as provided in subclause I, paragraph 2 "District Allowance", subparagraph (a) thereof - **\$24.70** per month plus **\$9.90** per 1,600 kms. travelled on duty.
 - (b) Where stationed in Category B as provided in subclause I, paragraph 2 "District Allowance", subparagraph (b) thereof - **\$16.40** per month plus **\$9.90** per 1,600 kms. travelled on duty.
 - (c) Where authorised to use a utility, four-wheel drive motor vehicle or any other special type of motor vehicle approved by the controlling authority concerned - **\$9.90** per month.
 - (d) Where authorised to use a trailer attached to the motor vehicle **2.97** cents for each kilometre travelled on duty with the trailer attached.
 - (e) Where authorised to use a motor vehicle on work involving the regular carrying of heavy equipment **\$9.90** per month.
 - (f) Where authorised to use a motor cycle - **9.67** cents for each kilometre travelled on duty.

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- 2.7 Where an officer is required to provide a private motor vehicle in accordance with subparagraph 2.1 of this subclause and the distance travelled on duty in any financial year does not exceed 4,000 kilometres, the officer 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.
- 2.8 Where a part-time officer is eligible for any payment under subparagraph 2.7, such allowance shall be calculated on the proportion of the total hours worked in that year by the part-time officer to the annual standard hours for a full-time officer of the same classification.
- 2.9 Unless otherwise directed by the controlling authority, kilometreage on duty shall be the distance travelled from an officer's place of employment to his or her destination and return to his or her place of employment.
- 2.10 A kilometreage allowance in excess of or at variance with the rates set forth in subparagraphs 2.1 and 2.2 of this paragraph may be paid if, on the determination of the controlling authority concerned, special circumstances exist which justify such excess or variation.

3. Travelling Allowances

- 3.1 Where an officer is travelling on duty and is required to remain away from his normal place of residence overnight, he shall, subject to this paragraph, be paid a travelling allowance in accordance with the following rates:

	Rates per Day \$
(i) Within this State	63.00
(ii) Outside this State (including Papua New Guinea and New Zealand)	88.00

PROVIDED THAT where practicable, an officer, before embarking upon approved travel entitling him to payment of an allowance under this paragraph, shall, if he so wishes, be allowed advanced payments of at least 90 per cent of the estimated amount payable for the period in question.

- 3.2 This allowance shall be calculated at an hourly rate of one twenty-fourth of the daily rate from the time of departure of the officer concerned from his usual place of employment to the time of his return thereto, and shall apply only where an officer is away from his normal place of residence overnight.

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3.3 A travelling allowance in excess of or at variance with the rates set forth above may be paid if, on the determination of the controlling authority concerned, special circumstances exist which justify such excess or variation.

3.4 Where an officer travels with a judge or a minister, or in a representative capacity for the State, or on special duties as determined by the controlling authority concerned, and thereby incurs additional expense, he may be paid such travelling allowance as may be determined by the controlling authority concerned.

3.5 Where an officer in the performance of his duties is required to travel

(a) within Australia (including Papua New Guinea and New Zealand) - by ship, aircraft, railway train, or other means of conveyance, where he is provided with meals and sleeping quarters, that officer, while so travelling, shall be paid a travelling allowance at the rate of

Rates per Day
\$

- (i) within this State 7.70
- (ii) outside this State 10.75

(b) outside Australia, Papua New Guinea and New Zealand that officer, while so travelling, shall be paid a travelling allowance at such rate as the Premier in the case of the Public Service, or the responsible Minister in the case of the Mental Health Service, on the recommendation of the controlling authority concerned, may approve.

3.6 Where a public conveyance is not available or convenient, and having due regard to the public interest, an officer in the performance of his duties is required to hire alternative means of transport, he may, on the determination of the controlling authority concerned, be reimbursed for the actual expenses, reasonably incurred, for the use of such transport.

3.7 Where an officer is required in the performance of his duties to be stationed temporarily at any place other than his usual headquarters for a period exceeding three weeks, and is absent from his normal place of residence, and has to procure board and lodging whilst so stationed, he shall be paid travelling allowances at the following rates

- (a) for the first three weeks in accordance with the rates set forth in paragraph 3.1 of this subclause; and
- (b) thereafter, at such rate as the controlling authority concerned may determine.

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- 3.8 Where the permanent head of his department certifies that the duties of an officer involve systematic travelling, the controlling authority concerned shall determine the rate to be paid such officer within the limits of the rates set forth in paragraph 3.1 of this subclause, and so as to cover necessary out-of-pocket expenses.
- 3.9 Where an officer is permanently stationed on the Bass Strait Islands and enters upon leave of absence he may, three times in every year, on the determination of the controlling authority concerned, be paid the return fares reasonably incurred by him for himself or for any dependent member of his family, permanently resident on the Bass Strait Islands, travelling from his station to the nearest seaport or airport on the mainland of this State. Such travel shall include travel via Melbourne when such indirect travel is the most expedient means of travelling to or returning from the nearest seaport or airport on the mainland of this State.

PROVIDED THAT -

- (i) with the approval of the controlling authority concerned, an officer may, in substitution for travel to the nearest seaport or airport in this State, travel to any other seaport or airport in this State or to Melbourne;
 - (ii) for the purpose of obtaining emergency medical or dental treatment for an officer or dependent member of his family, permanently resident on the Bass Strait Islands, an officer may by way of reimbursement and, with the approval of the controlling authority concerned, be paid the return fare reasonably incurred for travel from his station to the nearest centre in this State or to Melbourne, whereat such treatment can be obtained. Such reimbursement shall be in substitution for one or both of the return fares for the person concerned, more particularly set forth in this subparagraph;
 - (iii) the above entitlement is not cumulative, each year standing alone;
 - (iv) no officer shall be eligible to receive payment for the return fares as set forth above unless such officer has first completed three months continuous service on one or other of the Bass Strait Islands.
- 3.10 (a) Where an officer is required in the performance of his duties, either on appointment or transfer, to move from his place of residence to another district, and
- (i) he is unable to obtain accommodation for his family in that district and thereby incurs additional expense;

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- (ii) there is available in that district for the officer's family only such accommodation as will involve the officer in excessive expenditure,

the controlling authority concerned may, on the recommendation of the permanent head of his department, grant to such officer a special allowance at such rate as the controlling authority concerned may determine;

- (b) Such allowance shall be payable in the first instance for a period not exceeding three months as the controlling authority concerned may, as he deems necessary, extend such period for any number of additional periods not exceeding three months at any one time;
- (c) The controlling authority concerned may, at any time, increase, reduce or revoke any allowance granted under this subparagraph;
- (d) An officer who receives an allowance under this subparagraph shall immediately report to the controlling authority concerned any alteration of the circumstances in consideration of which such allowance was granted or renewed.

P. OTHER ALLOWANCES

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

9. DEDUCTIONS FROM SALARY

A. BOARD AND LODGING

1. An officer who is provided with board and/or lodging at a State hospital, home or institution shall, subject to any subsequent basic salary component adjustment, have deducted from his salary the following amounts in respect of such board and lodging:

Adult	\$
(a) Where both board and lodging is provided per week	35.43
(b) Where lodging but no board is provided per week	11.80

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(c) Where board but no lodging is provided per week 23.62

2. An officer employed on the nursing staff of a State hospital, home or institution who, if board and lodging were available would normally be required to live in, but for whom board and lodging is not made available, shall receive in addition to the salary rates prescribed in a relevant award of the Tasmanian Industrial Commission an allowance of **\$5.10** per week, and shall also be provided with one meal per day. This paragraph shall not apply to any officer living out during periods of annual recreation leave or long service leave.
3. An officer employed on the nursing staff of a public service hospital, home or institution, who is provided with board and lodging facilities, shall be entitled to laundry free of charge.

B. MEALS ON DUTY

Where an officer not subject to subclause A of this clause is supplied meals on duty, the amount to be paid by such officer in respect of each meal so supplied shall be as follows:

	Rate per Meal
	\$
1. Luncheon or Evening Meal	
Two or three courses	1.20
Single hot or cold main course	0.95
Single (other) course, ie soup or sweets	0.85
2. Breakfast	
All breakfasts	0.85

PROVIDED THAT

- (i) a minimum charge of 85 cents applies for each meal taken;
- (ii) in each case where a one, two or three-course meal is ordered and charged for as above, no extra charge is to be levied for either beverages, toast, bread, butter or condiments;
- (iii) the controlling authority concerned may exempt an officer from such payment where, in his opinion, the nature of the officer's duties or other good reason exists for the provision of free meals whilst on duty.

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C. OTHER DEDUCTIONS

Except where otherwise specified herein or in a relevant award of the Tasmanian Industrial Commission, or until otherwise determined by the Commission, deductions from salaries on account of quarters, fuel, light, power, board and other facilities and amenities provided for officers covered by this award, and the rates of those deductions, and the basis on which they shall be calculated, shall be in accordance with the terms and conditions for the time being prescribed by regulation for officers in the Public Service of the State and in the Mental Health Service.

10. HOURS OF DUTY AND PENALTY PAYMENTS

A. HOURS OF DUTY

Except where otherwise specified in a relevant award of the Tasmanian Industrial Commission, or until otherwise determined by the Commission, the ordinary hours of duty of officers covered by this award, and the times during which such hours shall be worked, shall be in accordance with the hours of duty for the time being prescribed by regulation for officers in the Public Service of the State and the Mental Health Service.

PROVIDED THAT in respect of officers employed in a Social Welfare Department institution, the daily spread of hours shall

- (i) for cooks, not exceed twelve hours;
- (ii) for other staff, excepting superintendents and resident matrons, not exceed ten hours.

For all time worked in excess of such spread of hours, payment shall be made at the rate of one and a half times the ordinary calculated daily rate.

PROVIDED FURTHER that in respect of officers employed as Ward Aids who are approved by the Mental Health Services Commission to be rostered on shift work at the Royal Derwent Hospital, the ordinary hours of work shall not exceed eleven hours twenty-six minutes per day (exclusive of meal breaks) within a spread of

- (i) thirteen hours for those commencing work in the morning; and
- (ii) twelve hours for those commencing work in the evening.

B. PENALTY PAYMENTS

1. Afternoon and Night Shift Allowances

An officer regularly rostered for duty on afternoon or night shifts shall be paid 15 per cent more than the normal salary rate for such shifts.

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PROVIDED THAT an officer employed as a Ward Aid at the Royal Derwent Hospital who is regularly rostered to work 'long shifts' of eleven hours twenty-six minutes for each of two days and is then rostered off duty for two days shall be paid 10 per cent more than his ordinary salary rate for each shift so worked.

2. Call Back

Where an officer -

- (a) to whom Clause 10B paragraph 5(a) of this award applies is recalled to work overtime; or
- (b) is recalled to work overtime after ceasing work without prior notice thereof to meet an emergency situation who is eligible, in accordance with Clause 10B paragraph 3 of this award, for the payment of overtime worked,

shall in respect of the first recall be paid for a minimum of four hours at the appropriate overtime rate, and in respect of subsequent calls occurring during the four-hour spread of which a minimum payment has been attracted, no extra payment shall accrue until the time actually worked exceeds four hours. Payment for all recalls occurring outside the first minimum payment spread shall be calculated at the appropriate overtime rate for actual time worked. Time reasonably spent in travelling to and from work shall be regarded as time worked.

PROVIDED THAT where an officer by custom and practice returns to work for short periods to perform specific duties such as the checking of equipment or machinery, security or caretaking-type duties and the like, shall on the determination of the controlling authority be excluded from the provision of this paragraph.

3. Overtime

- 3.1 A controlling authority may require any officer to work reasonable overtime, and such officer shall work overtime in accordance with the conditions hereinafter set forth.
- 3.2 Where a permanent head of a Government department or an administering authority of the Mental Health Service as the case- may be, considers that overtime work is necessary, he shall, where appropriate, forthwith notify the controlling authority concerned thereof setting forth the nature of the work to be performed and the reasons for which overtime is considered necessary.

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- 3.3 No payment shall be made for overtime unless the overtime work performed
- (a) in the case of the Public Service of the State is by express direction of the permanent head of a department with the prior approval of the Public Service Board; or
 - (b) in the case of the Mental Health Service - has been authorised by an administering authority.
- 3.4 Subject to paragraphs 3.6, 3.7 and 3.8 of this subclause, an officer required to work overtime shall be entitled to payment for such overtime worked, in accordance with the following rates:-

- (a) Other than Shift Workers -
 - (i) Monday to Friday inclusive - at the rate of time and one-half of his normal salary rate for the first three hours, and double time thereafter;
 - (ii) Saturdays and Sundays - at the rate of double his normal salary rate for all time so worked;
 - (iii) Public Holidays - at the rate of double and one-half of his normal salary rate for all time so worked.

PROVIDED THAT an officer who holds a position which regularly requires him to work on public holidays shall, where mutually agreeable, be paid, in addition to any paid time-off in lieu granted, at the rate of time and a half of his ordinary rate for the first eight hours worked during his normal spread of hours, and thereafter in accordance with the overtime rates set forth in subparagraph (a) hereof. Provided that no officer shall receive in the aggregate more than the equivalent of double time and a half of his ordinary rate.

- (b) Shift Worker - An officer required to work shift work for all time worked in excess of or outside the ordinary working hours prescribed, or on a shift other than a rostered shift shall -
 - (i) if employed on continuous work (as defined) be paid at double his ordinary salary rate;
 - (ii) if employed on other than continuous shift work be paid from Monday to Friday, inclusive, at the rate of time and a half of his normal salary rate for the first three hours and double time thereafter, and for overtime worked on his rostered day off or on a Saturday, Sunday or a public holiday, at the rate of double his normal salary rate, except in each case when the time is worked either by arrangement between the

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officers themselves or for the purpose of effecting customary rotation of shifts.

PROVIDED THAT when not less than eight hours notice has been given to the departmental head or administering authority, as the case may be, by a relief officer that he will be absent from work and the officer whom he should relieve is not relieved and is required to continue to work on his rostered time off, the unrelieved officer shall be paid double time.

- 3.5 For the purpose of computing overtime, each day's work shall stand alone.
- 3.6 An officer's entitlement to payment for overtime worked shall be computed at his normal salary rate EXCEPT that
 - (a) where, unless the controlling authority otherwise determines, such officer is in receipt of a salary of or exceeding the maximum salary entitlement payable to an Administrative and Clerical Officer Class VII under the Clerical Officers (Public and Mental Health Services) Award, BUT not exceeding the maximum salary entitlement payable to an Administrative and Clerical Officer Class X of the said award, his entitlement to payment for overtime shall be computed at the rate of the maximum salary entitlement payable to an Administrative and Clerical Officer Class VII;
 - (b) where the whole of any portion of the staff of either a Government department or an administering authority in the Mental Health Service is required to perform overtime work of such a character as not to warrant the payment of the rates specified in paragraph 3.4 of this subclause, the controlling authority shall, subject to subparagraph (a) hereof, determine the rate which shall be allowed, and such rate shall be applicable to all or any of the eligible officers engaged in such work, irrespective of any difference in the salary rate received by them respectively.
- 3.7 Officers who do not work under close supervision, or whose hours of duty are not specifically defined shall not be entitled to the payment of overtime EXCEPT that where such an officer is required to work overtime and where in the opinion of the controlling authority concerned special circumstances exist, such controlling authority may either authorise the payment of the overtime rates set forth in paragraph 3.4 hereof, or some proportion thereof or, the payment of an allowance in settlement of any overtime so worked.

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PROVIDED THAT a field officer who satisfies the requirements of subparagraph (a) of paragraph 3.6 hereof, who is required to work bona fide approved overtime, shall be entitled to be paid for that overtime at the appropriate rate unless he elects to take the equivalent time off in lieu.

- 3.8 Permanent heads and subheads of Government departments, divisional heads in the Mental Health Service, officers in charge of institutions and officers in receipt of a salary in excess of the maximum salary entitlement determined for an Administrative and Clerical Officer Class X under the Clerical Officers (Public and Mental Health Services) Award, shall not be entitled to payment for overtime worked.
- 3.9 (a) No overtime work other than that of shift workers shall commence before 6.15 p.m. on any day except in cases of extreme urgency or in those cases where overtime is worked on a Saturday, Sunday or public holiday, or where in the opinion of the controlling or administering authority special circumstances exist which warrant commencement at an earlier hour;
- (b) An officer other than a shift worker working overtime on a Saturday, Sunday or on a public holiday shall be entitled to a meal break of thirty minutes between the hours of 12 noon and 2 p.m. Provided that such meal break shall not be regarded as time worked;
- (c) Except in cases of extreme urgency, and with the prior approval of the controlling authority or administering authority, as the case may be, an officer shall not be permitted or required to perform overtime work on more than four nights in any fortnight, or for more than eight hours in any one day.
- 3.10 (a) When overtime work is necessary it shall, whenever reasonably practicable, be so arranged that officers have at least eight consecutive hours off duty between the work of successive days.
- (b) Officers who work so much overtime between the termination of their ordinary work on one day and the commencement of their ordinary work on the next day that the officer has not had at least eight consecutive hours off duty between those times, shall, subject to this section, be released after completion of such overtime until that officer has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

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- (c) Subject to paragraph 3.6 of this subclause, if on the instructions of the employer, officers resume or continue work without having had eight consecutive hours off duty, they shall be paid at double their normal salary rates until they have been released from duty for a continuous period of at least eight hours and they shall then be entitled to be absent until they have had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.
- (d) This paragraph shall not apply to an officer on standby who is recalled to duty unless that officer is required to work for an actual period of three hours or more on such recall or on each of such recalls.
- (e) Until otherwise determined by the Tasmanian Industrial Commission, this paragraph shall not apply to field officers and officers who do not work under close supervision.

3.11 Where practicable an officer required to work overtime shall be given at least twenty-four hours notice prior to the commencement thereof.

4. Saturday, Sunday and Holiday Work

4.1 Saturday Work - The rate to be paid to an officer regularly rostered for duty (other than overtime work) on a Saturday, shall be time and a half of the officer's normal-salary rate, but such rate shall be in substitution for, and not cumulative upon the shift allowances more particularly set forth in Clause 10B paragraph 1. Provided that a shift worker on a rostered shift, the major portion of which falls on a Saturday, shall be paid the above rate for the whole of such shift.

4.2 Sunday and Holiday Work -

- (a) Seven-day Shift Workers - Seven-day shift workers for work on a rostered shift, the major portion of which is performed on a Sunday or holiday (as prescribed) shall be paid at the rate of double time.
- (b) Other Shift Workers - Shift workers other than seven-day shift workers shall be paid for all time worked
 - (i) on a Sunday, at the rate of double the officer's ordinary salary rate, such rate to continue until the officer is relieved from duty;
 - (ii) on a holiday, at the rate of double time and one-half, such rate to continue until the officer is relieved from duty.

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The above rates shall be in substitution for, and not cumulative upon the shift allowances more particularly set forth in Clause 10B paragraph 1.

PROVIDED THAT -

- (1) where a shift commences before midnight on a Sunday or a holiday and where the major portion of such shift falls on the following day the time so worked before midnight shall not entitle an officer employed on such a shift to the Sunday or holiday rate. Provided that the time worked by an officer on a shift commencing before midnight on a day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday;
- (2) where a shift worker is required to work on a holiday as herein prescribed and is granted time off in lieu thereof the above penalty rate shall not apply;
- (3) for the purpose of this subclause 'Shift Worker' means an officer who is regularly required to undertake shift work (other than overtime) in accordance with a roster approved by the controlling authority.

5. Standby and Availability

- (a) Availability Allowance - An officer other than an officer to whom subparagraph (b) of this paragraph relates, who is directed by his permanent head or administering authority, as the case may be, to remain at home or within close telephone contact thereof and hold himself in readiness to return to work without delay or within a reasonable time of being recalled or to monitor telephone calls and/or attend to after hours calls if required, shall be paid an allowance of **74.21** cents per hour, with a minimum payment of **\$9.31** per day.

Savings Provision - An officer who, prior to the beginning of the first full pay period commencing on or after the first day of January 1984, was rostered for standby duty and entitled to payment therefor under the terms of the Public Service Conditions of Service (Miscellaneous Provisions) Principal Award (now rescinded) shall until further order, if performing the same duties as before and for which he would now qualify for the above availability allowance, be entitled in any case to a minimum daily payment of **\$23.05** for each day of rostered availability duty.

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- (b) Standby Allowance - An officer authorised by his controlling authority or administering authority, as the case may be, regularly rostered on an approved roster for standby duty to meet emergency situations, who is required to standby at his home on immediate call and may be required for immediate recall to duty, shall
 - (i) if not required to commence work, be paid equivalent to six hours at his normal salary rate; or
 - (ii) if required to commence work, be paid in accordance with Clause 10B paragraph 2 of this award.

PROVIDED THAT in placita (i) and (ii) hereof there be a minimum payment of **\$25.56**.

11. INDUSTRIAL CLOTHING

A. INDUSTRIAL UNIFORMS

- 1. Where an officer is required by the permanent head of his department, with the approval of the controlling authority concerned, to wear a uniform in the normal course of his official duties, such uniform shall be supplied free of cost to the officer.
- 2. An officer supplied with a uniform, on leaving the service of his department shall, if required to do so by the controlling authority concerned, return such uniform or part thereof which is still in use by him immediately prior to his leaving.

B. PROTECTIVE CLOTHING

- 1. Where, on the determination of the controlling authority concerned, an officer's official duties are such as to necessitate the wearing of protective clothing including wet weather gear such protective clothing or wet weather gear shall be supplied free of cost to the officer.

PROVIDED THAT a construction supervisor who satisfies the departmental head that the number of visits to construction sites likely to be made by him in the course of his employment will be such as to put him at substantially the same risk as permanent site workers shall be entitled to such protective clothing (including footwear) as his departmental head considers appropriate to the circumstances.

- 2. An officer who is, pursuant to this subclause, supplied with protective clothing or wet weather gear, shall wear it in such a way as to achieve the purpose for which it is supplied.

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3. An officer supplied with protective clothing or wet weather gear on leaving the service of his department shall, if required to do so by the controlling authority concerned, return such protective clothing or wet weather gear which is still in use by him immediately prior to his leaving.

12. OVERTIME AND EXTRA REMUNERATION

Except where otherwise specified herein or in a relevant award of the Tasmanian Industrial Commission, or until otherwise determined by the Tasmanian Industrial Commission, overtime payments and the rates of remuneration and conditions in respect of minimum earning, night work, special duty and of work at any other time outside the ordinary hours of duty, payable to officers covered by this award shall be at the rates and in accordance with the terms and conditions for the time being prescribed by regulation for officers in the Public Service and the Mental Health Service.

PROVIDED THAT overtime shall be restricted to the lowest effective minimum.

R.K. Gozzi
COMMISSIONER

1 September 1986