

T 13 007 of 2007
10 AUG 2007

Tasmanian industrial Commission Section 55 – Industrial Agreement

Macquarie Island Conditions of Service Agreement 2007



Clause 1 Title

This Agreement shall be known as the Macquarie Island Conditions of Service Agreement 2007.

Clause 2 Arrangement

Subject	Clause No.	Page No.
Title	1	2
Arrangement	2	2
Parties Bound	3	2
Definitions	4	2
Date and Period of Operation	5	3
Application	6	3
Relationships to Awards & Agreements	7	3
Code of Conduct	8	3
Occupational Health & safety	9	4
Allowances	10	4
Recreation Leave	11	5
Training	12	5
Variation & Review	13	5
Taxation	14	5
Signatures	15	6

Clause 3 Parties Bound

This Agreement is between:

The Minister administering the *State Service Act 2000* and the;

Community and Public Sector Union (State Public Services Federation Tasmania) Inc.

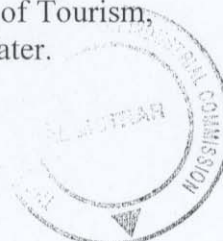
Clause 4 Definitions

Agreement means the Macquarie Island Conditions of Service Agreement 2007.

Department means either the Department of Tourism, Arts and the Environment (DTAE) or the Department of Primary Industries and Water (DPIW).

Designated Leader means an employee specifically recruited by the Australian Antarctic Division to have overall management of the station and personnel serving on Macquarie Island. Includes an employee appointed to act as Leader during rostered absences of the Designated Leader or to assist with managing field stations.

Employee means a permanent or fixed term employee of the Department of Tourism, Arts and the Environment, or the Department of Primary Industries and Water.



Expeditioners means those employees whose duties are to be predominately performed on Macquarie Island.

Parks and Wildlife Agreement means the Parks and Wildlife Agreement 1996 in matter T6260 of 1996 and subsequent Parks and Wildlife Agreement however named.

Pro rata means all allowances are to be paid on a percentage of the full annual basis.

Visitor means a State Service employee visiting Macquarie Island for the purpose of familiarisation that is they accompany the supply ship to the Island returning on its return sailing.

Voyage Leader means the employee or contractor who has responsibility for the transport of expeditioners and visitors to and from Macquarie Island.

Clause 5 Date and Period of Operation

The Agreement is to take effect from the date of registration for a period of 3 years. Discussions on a replacement Agreement will begin no later than six months before the expiry date.

Clause 6 Application

This Agreement is made in respect of all State Service employees of DTAE or DPIW who are expeditioners or visitors to Macquarie Island.

This Agreement does not apply to senior Executive Service officers.

Clause 7 Relationship to Awards and Agreements

This Agreement is to be read in conjunction with the *General Conditions of Employment Award* and the *Parks and Wildlife Agreement 1996*. Where there is any inconsistency between these documents and this Agreement, this Agreement shall prevail.

Clause 8 Code of Conduct

Macquarie Island expeditioners and visitors (as defined) are required to comply with the Principles of Section 7 of the *State Service Act 2000*.

This Section of the *State Service Act* establishes the standards of behaviour to be observed in workplaces which contribute to morale, team work and cooperation in an environment where stations, voyages and field bases are self contained communities largely isolated from mainstream society. In these circumstances individual and community behaviours are subject to monitoring and appropriate action by designated leaders and voyage leaders.

Behaviour that allegedly breaches the State Service Principles may be investigated under the *State Service Act 2000* Code of Conduct. Employees remain subject to relevant Australian and Tasmanian legislation.



Clause 9 Occupational, Health and Safety

Employees are covered by the *Workplace, Health and Safety Act 1995*. The Departments have responsibility for providing employees with a safe work environment under that legislation. The respective Departments health and safety policies and procedures also have application particularly in relation to working in remote and isolated work locations and reporting incidents/accidents.

The *Workers Rehabilitation & Compensation Act 1988* continues to apply to employees travelling to and working on Macquarie Island.

Clause 10 Allowances

The Antarctic (Macquarie Island) and Common Duties Allowances, together with the percentage level of the Overtime Allowance, will be paid in accordance with rates defined under the Bureau of Meteorology (BOM) Certified Agreement 2006-2008 (Reference No. AG 2004/3423) as renegotiated and amended from time to time. These allowances are as follows:

Antarctic (Macquarie Island) Allowance: For undertaking duties in an environment of climatic harshness, isolation, lack of amenities and transport, restricted living and social conditions and other disabilities associated with operating on a remote sub antarctic island.

Common Duties Allowance: In recognition of being required, at the direction of a Designated or Voyage Leader to undertake a variety of extra duties whilst serving on Macquarie Island including to and from the Island. These extra duties include common expedition and station tasks, and other general duty necessary for the effective functioning of expedition and community station life. Whilst not exhaustive these duties include for example, cooking, laundry and associated domestic duties.

Overtime Allowance: In recognition of being required to work irregular hours, being subject to call out including over weekends and being rostered for extended periods away from the main scientific station.

The current rates of allowances are:

Allowance	Rate
(Antarctic) Macquarie Island	Currently \$9,288 pa and as adjusted in line with the BOM Certified Agreement 2006-08
Common Duties	Currently \$9,608 pa and as adjusted in line with the BOM Certified Agreement 2006-08
Overtime	Set at the rate of the lesser of: 50% of the employee's salary; Or 50% of the top increment of Level 6 of the Administrative and Clerical Employees Award.

Employees who are expeditioners stationed on Macquarie Island are eligible to receive all of the above allowances. Employees who are visitors on Macquarie Island are eligible to receive the Common Duties allowance only if the conditions for payment are satisfied.



Allowances accrue from time of embarkation from Hobart to time of disembarkation at Hobart. Allowances are calculated on a 12 month pro rata basis.

Other existing allowances would only continue to be paid where the circumstances as detailed in the relevant Award or Industrial Agreement remain.

Clause 11 Recreation Leave

Expeditioners and employees stationed, or visiting Macquarie Island, provided the period is for 30 calendar days or more, will accrue recreation leave at double the normal rate with accrual being from day of embarkation from Hobart to day of disembarkation at Hobart. This additional recreation leave is to be taken within 12 months of accrual. This is to take into account service in a remote area, availability to undertake work on a rostered basis, and the non observance of any statutory and State Service holidays that may occur during service on Macquarie Island or travelling to and from Macquarie Island.

Clause 12 Training

Employees selected as expeditioners or visitors are to undertake a familiarisation of the Island and will be required to satisfactorily complete specified training to equip them for the voyage and working environment on Macquarie Island. Non completion of, or unsatisfactory completion of specified training, will result in withdrawal of the placement or familiarisation.

Such training will be provided at the Departments' expense and any associated travel costs are to be in accordance with the *General Conditions of Employment Award*.

Clause 13 Variation and Review

The allowance levels within this Agreement will be adjusted in accordance with similar allowances in the *BOM Certified Agreement 2006-2008* as may be subsequently amended or renewed with same date of application. The parties agree that should there be an extraordinary movement in the rate of allowances as contained in the *BOM Certified Agreement*, or should that agreement cease, the parties reserve the right to bring that matter before the Tasmanian Industrial Commission.

The rate for determining the maximum overtime allowance as indicated in Clause 10 will be subject to review should the *Administrative and Clerical Employees Award* be altered.

Clause 14 Taxation

Taxation of allowances will be subject to Taxation Zones as determined from time to time by the Australian Taxation Office. Employees are to obtain their own personal advice on how treatment of taxation will apply to them.



Clause 15 Signatures to the Agreement



Signed for and on behalf of the Minister
administering the *State Service Act 2000*

Date:

8/8/07



Signed for and on behalf of The Community and Public
Sector Union (State Public Services Federation
Tasmania) Inc.

Date:

6/8/07

**This Agreement is registered pursuant to Section 56(1) of the Industrial
Relations Act 1984**

