



25 FEB 2009

MINISTERIAL DRIVERS INDUSTRIAL AGREEMENT

2009

(18 February 2009)



1. TITLE

This Agreement is to be known as the Ministerial Drivers Industrial Agreement 2009.

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3. PARTIES BOUND AND APPLICATION

This Agreement is between the Minister administering the *State Service Act 2000* and the Community and Public Sector Union (State Public Service Federation) Inc and the Transport Workers Union – Victoria/Tasmania Branch, and is to apply to all employees who are assigned the duties of Ministerial Drivers as contained within this Agreement.

4. DATE OF OPERATION AND DURATION

This Agreement is to take effect from the date of registration and remain in force, expiring on the 30 November 2011.

5. RELATIONSHIP TO AWARDS AND AGREEMENTS

This Agreement replaces the Ministerial Drivers Industrial Agreement 2000 in its entirety.

Employees bound by this Agreement are, except for this Agreement, subject to the Tasmanian State Service Award (TSSA). Where any inconsistency occurs between this Agreement and the Award, this Agreement is to prevail to the extent of any inconsistency.

6. DEFINITIONS

'Casual Ministerial Driver' is an employee, employed on an irregular basis and at short notice and where the offered employment may be accepted or rejected on each and every occasion, and is paid a loading of 20% in addition to the normal rate of salary in lieu of paid leave entitlements and Holidays with Pay as prescribed by the Tasmanian State Service Award. A casual driver is not to receive the industry allowance.

'Employer' is the Minister administering the *State Service Act 2000*

'Employee' means a permanent, fixed-term or casual employee appointed under the *State Service Act 2000* and who is appointed as a Ministerial Driver on a full-time, part-time or casual basis.

'4 weekly cycle' means two consecutive pay periods (on a continuing basis) over which eight days break is to be taken.



Manager, Ministerial Transport means an employee, however designated, who is employed to manage the provision of Ministerial transport.

7. SALARIES AND INDUSTRY ALLOWANCE

(a) Salary increases

Salaries are effective from the first full pay period on or after the dates as shown below.
The total salaries shown below include the industry allowance.

Ministerial Driver Increases	Salary (Band 1-Range 2 – Level 3)	Industry Allowance (nominal 120 hours)	Total
Current 26/11/08	\$37 378	\$24 912	\$62 290
4% 27/11/08	\$38 873	\$25 908	\$64 781
1.5% 5/3/09	\$39 456	\$34 085	\$73 541
3.5% 26/11/09	\$40 837	\$35 278	\$76 115
3.5% 25/11/10	\$42 266	\$36 513	\$78 779
2% 3/3/11	\$43 112	\$37 243	\$80 355
Ministerial Driver (Premier)	Salary – (Band 1 - Range 2 – Level 3)	Industry Allowance	Total
Current 26/11/08	\$37 378	\$24 912	\$62 290
4% 27/11/08	\$38 873	\$25 908	\$64 781
1.5% 5/3/09	\$39 456	\$41 837	\$81 293
3.5% 26/11/09	\$40 837	\$43 301	\$84 138
3.5% 25/11/10	\$42 266	\$44 817	\$87 083
2% 3/3/11	\$43 112	\$45 713	\$88 825



(b) Industry Allowance

Industry Allowance – (Ministerial Driver)

The industry allowance is an allowance to compensate an employee in full for all irregular and additional working hours including weekends, disruption to family and social life, availability and recall. An employee in receipt of the industry allowance is not eligible for overtime, availability and recall provisions of the Tasmanian State Service Award. The Industry Allowance is based on hours worked in excess of 76 hours per fortnight.

Industry allowance – Ministerial Driver (Premier)

In addition to the allowance prescribed above for all Ministerial Drivers, a ministerial driver who undertakes the duties of Ministerial Driver (Premier) is paid additional compensation in recognition of additional out of hours work and increased security and responsibilities associated with the Officer of the Premier. The allowance is only payable whilst a Ministerial Driver is undertaking the duties of Ministerial Driver (Premier).

(c) Casual Ministerial Driver Salaries

Salaries are effective from the first full pay period on or after the dates as shown below. The industry allowance is not payable to the Ministerial casual driver.

Casual Ministerial Driver	Salary – (Band 1 - Range 2 – Level 3)	Plus 20% Loading	Total
4% 27/11/08	\$38 873	Plus 20% Loading	\$44 854
1.5% 5/3/09	\$39 456	Plus 20% Loading	\$47 347
3.5% 26/11/09	\$40 837	Plus 20% Loading	\$49 004
3.5% 25/11/10	\$42 266	Plus 20% Loading	\$50 719
2% 3/3/11	\$43 112	Plus 20% Loading	\$51 734



8. HOURS OF WORK

- (i) The ordinary hours of work for Ministerial Drivers are 120 hours per fortnight in each 2 week consecutive period within a four weekly cycle. This represents 76 ordinary hours per fortnight, plus a nominal 44 additional hours that is to be paid as the industry allowance.
- (ii) An employee must notify the Manager Ministerial Transport when approaching 120 hours of time worked over a 2 week period, and the employer is to provide a replacement driver wherever practical, or implement other appropriate arrangements.
- (iii) A Ministerial Driver is required to remain in telephone contact with their designated Minister in the event of an emergency occurring. The industry allowance off-sets this inconvenience.
- (iv) Commencing and finishing times for the hours of work each day are 8.00 am to 16.36 pm or as otherwise determined between each Minister and the designated Ministerial Driver, or as determined by the Manager, Ministerial Transport, if the Minister does not require the use of a ministerial vehicle on any given day.
- (v) A Ministerial Driver is required to have eight (8) days off in each four (4) weekly period. Any day(s) not taken within this time period may accumulate beyond this time period at the discretion of the Manager, Ministerial Transport. The number of days that may accumulate is not to exceed four (4) and the extension of the time period in which accumulated days may be taken is not to exceed two (2) weeks. The designated Minister and the Manager, Ministerial Transport are to make the arrangements necessary to manage appropriate time off.
- (vi) A Ministerial Driver who is not required for driving duties may apply to the Manager, Ministerial Transport to take time off duty which includes the normal entitlement, as specified in sub-clause (v) and any accumulated time
- (vii) Log Books are to be kept, as required by the employer, to record driving time and kilometrage travelled with this record to be endorsed by their relevant Minister and/or the Manager, Ministerial Transport.
- (viii) The Ministerial Driver is required to complete time sheets that records all time worked, including start and finishing times and days off with this record to be signed by the relevant Minister and/or the Manager, Ministerial Transport
- (ix) Reasonable time in travelling to or from the employee's residence to commence or cease duties at the employee's usual place of employment is included as time worked unless travelling time unreasonably in excess of the usual travelling time to commence or cease duties occurs at a location other than the employee's residence or usual place of employment. The usual place of employment is the Drivers Garage or the Minister's



residence, whichever is closer.

- (x) An employee who is required to work on a Holiday with Pay is to be granted a day off in lieu of the day worked. This day is in addition to the entitlement specified in sub-clause (v) and is to be managed consistent with sub-clauses (v) and (vi), except that time in lieu of working on a Holiday with Pay may be accumulated to the equivalent of 5 days which may be taken in conjunction with recreational leave at the discretion of the Manager, Ministerial Transport.
- (xi) Wherever practicable an employee is to receive an eight hour break between the end of a period of time worked and any further period of time to be worked.
- (xii)
 - (a) Ministerial Drivers are entitled to meal allowances when required to:
 - (1) commence work two (2) hours before the normal commencement time; or
 - (2) continue on duty two (2) hours after the normal finishing time.
 - (b) The rates payable for meal allowances are those prescribed in the Tasmanian State Service Award Part IV, clause (d), as adjusted from time to time, and are the rates for breakfast according to sub-clause (xii)(a)(1) and dinner according to sub-clause (xii)(a)(2).
 - (c) The meal allowances payable according to this clause are applicable on any day worked.

9. UNIFORM AND PROTECTIVE EQUIPMENT

(a) Uniforms

- (i) The uniform as described is compulsory and must be worn at all times while on duty. Uniforms may only be worn for work purposes. Items other than those specified in this clause must not be worn. An employee who presents for work in other than the required uniform will be considered ineligible for duties.
- (ii) Maintenance of the uniform remains the responsibility of the employee.
- (iii) Jackets are to be worn by Drivers at all times while at Parliament or Government Houses or as directed otherwise by their Minister or Manager.

(b) Approved uniform

An employee is to be provided with a uniform by 30 October each year that is to consist of:



- (i) a suit comprising a jacket and two pairs of trousers / skirts
- (ii) six shirts /blouses
- (iii) eight pairs of socks /stockings
- (iv) two ties
- (v) one jumper
- (vi) up to \$100.55 reimbursement for plain black shoes to be adjusted in accordance with the reported Consumer Price Index (CPI) rates updated in the September quarter figure of each year of the Agreement.

Further negotiations may occur between the employer and an employee for replacement items prior to the 1st October each year in the event of an unforeseen circumstance or alternatively additional items may be provided should such items be deemed necessary.

(c) Personal Protective Equipment

All personal protective equipment is to be issued on an as required basis in consultation with the employer. A list of such items is to be established, reviewed and maintained by the employer in consultation with the employees.

10. DRIVERS LICENCES – PROOF OF CURRENCY

- (a) It is a condition of employment that all employees hold a full Tasmanian Driver's licence.
- (b) Proof of currency of the above licence is to be provided to the employer annually.

11. USE OF MINISTERIAL VEHICLES

In addition to the Ministerial Driver ministerial vehicles may be driven by the relevant Minister, a passenger or an approved employee if the assigned Ministerial Driver becomes ill or fatigued.

12. MEDICAL EXAMINATION

- (a) An employee is to undertake a regular medical examination to ascertain their fitness to undertake the duties of Ministerial Driver.



- (b) An employee under the age of 50 years is required to have a medical examination each three years and over the age of 50 years each year.
- (c) The examining medical practitioner may be nominated by the employee and in the event of a medical problem being detected the employer may request the employee to seek another opinion.
- (d) A written report following the examination by a medical practitioner is to be forwarded to the employer and the employee on the prescribed form.
- (e) Reports arising from a medical examination are confidential

13. OCCUPATIONAL HEALTH AND SAFETY

- (a) Employees are strongly encouraged to maintain a healthy lifestyle and are to be allowed up to a maximum of two paid hours each week, non cumulative, to attend a gymnasium; and/or an approved health and /or fitness program; and/or undertake appropriate physical activities.
- (b) The reasonable cost of fees for attendance at a gymnasium or an approved health and or fitness program activity is to be met by the employer.
- (c) The absence from work by employees attending a gymnasium and/or an approved health and /or fitness activity program is at the direction of the Manager, Ministerial Transport

14. TRAINING

An employee is to undertake and pass the "in house" basic driver training program prior to employment to ascertain their ability to perform the duties of a Ministerial Driver and Employees may, as part of their duties, be required to participate in additional training programs /seminars and the like that are pertinent to their duties, such as advanced driving, first aid and security.

15. GRIEVANCES AND DISPUTE SETTLING PROCEDURE

Grievances and disputes that arise in the workplace are to be dealt with in accordance with the provisions of the Tasmanian State Service Award.



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Grievances and disputes that arise in the workplace are to be dealt with in accordance with the provisions of the Tasmanian State Service Award.

16. NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, they will not make any additional claims relating to any matter included in this Agreement.

17. SIGNATURES

SIGNED FOR AND ON BEHALF OF
COMMUNITY AND PUBLIC SECTOR UNION
(STATE PUBLIC SERVICE FEDERATION) INC

SIGNED

...../...../.....

Date

SIGNED FOR AND ON BEHALF OF
TRANSPORT WORKERS UNION
VICTORIA/TASMANIA BRANCH

Luci Neenan

SIGNED

25, 02, 2009
...../...../.....

Date

SIGNED FOR AND ON BEHALF OF
MINISTER ADMINISTERING THE
STATE SERVICE ACT 2000



16. NO EXTRA CLAIMS

The parties to this Agreement undertake that, for the life of this Agreement, they will not make any additional claims relating to any matter included in this Agreement.

17. SIGNATURES

SIGNED FOR AND ON BEHALF OF
COMMUNITY AND PUBLIC SECTOR UNION
(STATE PUBLIC SERVICE FEDERATION) INC



SIGNED

25, 02, 09
.....
Date

SIGNED FOR AND ON BEHALF OF
TRANSPORT WORKERS UNION
VICTORIA/TASMANIA BRANCH

SIGNED

.....
Date

SIGNED FOR AND ON BEHALF OF
MINISTER ADMINISTERING THE
STATE SERVICE ACT 2000



SIGNED

25, 02, 09
.....
Date

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

