Institution Officers Allowances and Conditions Award 1977, No. 3 of 1977

1. - TITLE

This award shall be known as the Institution Officers Allowances and Conditions Award 1977, No. 3 of 1977 and supersedes and replaces the Institution Officers (Child Welfare Department) Award 1968 No. 34 of 1968 insofar as it refers to allowances and conditions.

1B. - MINIMUM ADULT AWARD WAGE

(1) No employee aged 21 or more shall be paid less than the minimum adult award wage unless otherwise provided by this clause.

(2) The minimum adult award wage for full-time employees aged 21 or more is $557.40 per week payable on and from the first pay period on or after 1 July 2008.

(3) The minimum adult award wage is deemed to include all State Wage order adjustments from State Wage Case Decisions.

(4) Unless otherwise provided in this clause adults employed as casuals, part-time employees or piece workers or employees who are remunerated wholly on the basis of payment by result shall not be paid less than pro rata the minimum adult award wage according to the hours worked.

(5) Employees under the age of 21 shall be paid no less than the wage determined by applying the percentage prescribed in the junior rates provision in this award to the minimum adult award wage.

(6) The minimum adult award wage shall not apply to apprentices, employees engaged on traineeships or Jobskill placements or employed under the Commonwealth Government Supported Wage System or to other categories of employees who by prescription are paid less than the minimum award rate.

(7) Liberty to apply is reserved in relation to any special category of employees not included here or otherwise in relation to the application of the minimum adult award wage.

(8) Subject to this clause the minimum adult award wage shall –

(a) Apply to all work in ordinary hours.

(b) Apply to the calculation of overtime and all other penalty rates, superannuation, payments during any period of paid leave and for all purposes of this award.

(9) Minimum Adult Award Wage

The rates of pay in this award include the minimum weekly wage for employees aged 21 or more payable under the 2008 State Wage order decision. Any increase arising from the insertion of the minimum wage will be offset against any equivalent amount in rates of pay received by employees whose wages and conditions of employment are regulated by this award which are above the wage rates prescribed in the award. Such above award payments include wages payable pursuant to enterprise agreements, consent awards or award variations to give effect to enterprise agreements and over award arrangements. Absorption which is contrary to the terms of an agreement is not required.

Increases under previous State Wage Case Principles or under the current Statement of Principles, excepting those resulting from enterprise agreements, are not to be used to offset the minimum wage.

(10) Adult Apprentices

(a) Notwithstanding the provisions of this clause, an apprentice, 21 years of age or more, shall not be paid less than $488.40 per week on and from the commencement of the first pay period on or after 1 July 2008.

(b) The rate paid in the paragraph above to an apprentice 21 years of age or more is payable on superannuation and during any period of paid leave prescribed by this award.

(c) Where in this award an additional rate is expressed as a percentage, fraction or multiple of the ordinary rate of pay, it shall be calculated upon the rate prescribed in this award for the actual year of apprenticeship.

(d) Nothing in this clause shall operate to reduce the rate of pay fixed by the award for an adult apprentice in force immediately prior to 5 June 2003.

2. - ARRANGEMENT

1. Title
1B. Minimum Adult Award Wage
2. Arrangement
3. Area of Operation
4. Scope
5. Term of Award
6. Definitions
7. Certificate of Service
8. Contract of Service
9. Salaries
10. Purchased Leave - 48/52 Salary Arrangement
11. Purchased Leave - Deferred Salary Arrangement
12. Salary Packaging Arrangement
13. Annual Increments
14. Higher Duties Allowance
15. Hours
16. Overtime
17. Annual Leave
18. Public Holidays
19. Long Service Leave
20. Sick Leave
21. Carers Leave
22. Parental Leave
23. Leave Without Pay
24. Study Leave
25. Short Leave
26. Bereavement Leave
27. Cultural/Ceremonial Leave
28. Blood/Plasma Donors Leave
29. Emergency Service Leave
30. Union Facilities for Union Representatives
31. Leave to Attend Association Business
32. Trade Union Training Leave
33. Defence Force Reserves Leave
34. Witness and Jury Service
35. District Allowance
36. Disturbance Allowance
37. Motor Vehicle Allowance
38. Property Allowance
39. Protective Clothing Allowance
40. Relieving Allowance
41. Removal Allowance
42. Transfer Allowance

43. Travelling Allowance
44. Weekend Absence From Residence
45. Keeping of and Access to Employment Records
46. Notification of Change
47. Right of Entry and Inspection by Authorised Representatives
48. Copies of Award
49. Parties to the Award
50. Expired General Agreement Salaries
51. Dispute Settlement Procedure

Schedule A Salaries
Schedule B District Allowance
Schedule C Motor Vehicle Allowance
Schedule D Motor Vehicle Allowance
Schedule E Motor Cycle Allowance
Schedule F Travelling, Transfer and Relieving Allowance
Schedule G Memorandum of Agreement
Schedule H Expired General Agreement Salaries

3. – AREA OF OPERATION

This Award shall apply throughout the State of Western Australia.

4. - SCOPE

This award shall apply to all Government Officers employed as Group Workers and/or Senior Group workers in the Department of Family and Children's Services and/or the Ministry of Justice.

5. - TERM OF AWARD

This Award shall operate as from and including the first day of July 1976 and shall remain in force for a period of three years.

6. - DEFINITIONS

In this Award, the following expressions shall have the following meaning:

"Accrued Day(s) Off'" (ADOs) means the paid day(s) off accruing to an employee resulting from an entitlement to the 38 hour week as prescribed in Clause 15 of this Award.

"Employer" and "Employing Authority" means Minister for Justice.

"Headquarters" means the place in which the principal work of an officer is carried out, as defined by the Employer.

"Metropolitan Area" means that area within a radius of fifty (50) kilometres from the Perth City Railway Station.

"Minister" means the Minster for Justice.

"Officer" means an employee covered by this Award.

"Partner" means either spouse or de facto partner.

"De Facto Partner" means a relationship (other than a legal marriage) between two persons who live together in a 'marriage-like' relationship and includes same sex partners.

“Spouse” means a person who is lawfully married to that person.

“The Association” means the Civil Service Association of Western Australia Incorporated.

7. – CERTIFICATE OF SERVICE

On request, the Employer shall issue a Certificate of Service containing full information as to the period of service, and nature of duties performed by the officer to the officer on redundancy, retirement, resignation or where contracts of service expire through the effluxion of time.

8. - CONTRACT OF SERVICE

(1) (a) No officer shall leave the employ of the Minister until the expiration of one month's written notice of intention so to do without the approval of the Minister.

(b) One month's written notice shall be given by the Minister to an officer whose services are no longer required.

Provided that the Minister may summarily dismiss an officer deemed guilty of gross misconduct or neglect of duty and the officer shall not be entitled to any notice or payment in lieu.

(c) An officer, having attained the age of 55 years, shall be entitled to retire from the employ of the Minister.

9. - SALARIES

(1) The annual salaries applicable to officers covered by this Award shall be as per Schedule A Salaries.

(2) An adult Group Worker employed pursuant to Level 2 shall commence employment at Level 2.1. Provided that at the discretion of the Employer, the officer may be appointed to a higher incremental level subject to previous relevant knowledge and experience.

(3) Payment of Salaries

(a) Salaries shall be paid fortnightly but, where the usual payday falls on a public holiday, payment shall be made on the previous working day.

(b) Dividing the annual salary by 313 and multiplying the result by 12 shall compute a fortnight’s salary.

(c) The hourly rate shall be computed as one seventy-sixth of the fortnight's salary.

(d) Salaries shall be paid by direct funds transfer to the credit of an account nominated by the officer at a bank, building society or credit union approved by the Under Treasurer or an Accountable Officer.

(e) Provided that where such form of payment is impracticable or where some exceptional circumstances exist, and by agreement between the Employer and the Association, payment by cheque may be made.

(4) Arbitrated Safety Net Adjustments

(a) The rates of pay in this Award include arbitrated safety net adjustments available since December 1993, under the Arbitrated Safety Net Adjustment Principle.

(b) These arbitrated safety net adjustments may be offset against any equivalent amount in the rate of pay received by officers since 1 November 1991 above the rate prescribed in the Award, except where such absorption is contrary to the terms of an industrial agreement.

(c) Increases in rates of pay otherwise made under the State Wage Case Principles, excepting those resulting from enterprise agreements, are not to be used to offset arbitrated safety net adjustments.

(5) Special Allowances

The Employer shall not be prohibited from granting special allowances based on additional duties and responsibilities undertaken by an officer due to expertise and knowledge of the officer.

(6) Amalgamation of Salary Classes

In allocating salaries or salary ranges the Employer may amalgamate any two or more levels or, allocate specific salary points from a level or levels prescribed by this Award.

10. –PURCHASED LEAVE - 48/52 SALARY ARRANGEMENT

(1) The Employer and an officer may agree to enter into an arrangement whereby the officer can purchase up to four weeks additional leave.

(2) The Employer will assess each application for 48/52-salary arrangement on its merits and give consideration to the personal circumstances of the officer seeking the arrangement.

(3) Access to this entitlement will be subject to the officer having satisfied the Agency's accrued leave management policy.

(4) The officer can agree to take a reduced salary spread over the 52 weeks of the year and receive the following amounts of additional purchased leave:

Number of weeks' salary spread over 52 weeks	Number of weeks' additional purchased leave.
48 weeks	4 weeks
49 weeks	3 weeks
50 weeks	2 weeks
51 weeks	1 week

(5) The additional purchased leave will not be able to be accrued. The officer is to be entitled to pay in lieu of the additional leave not taken. In the event that the officer is unable to take such purchased leave, his/her salary will be adjusted on the last pay period in January to take account the fact that time worked during the year was not included in the salary.

Where an officer who is in receipt of an allowance provided for in Clause 14. - Higher Duties Allowance, of this Award proceeds on any period of additional purchased leave the officer shall not be entitled to receive payment of the allowance for any period of additional purchased leave. When not on a period of purchased leave the officer shall receive the full entitlement to Higher Duties Allowance in accordance with Clause 14.

(7) In the event that a part time officer's ordinary working hours are varied during the year, the salary paid for such leave taken will be adjusted on the last pay in January to take into account any variations to the officer's ordinary working hours during the previous year.

11. – PURCHASED LEAVE - DEFERRED SALARY ARRANGEMENT

(1) With the written agreement of the Employer, an officer may elect to receive, over a four-year period, 80% of the salary they would otherwise be entitled to receive in accordance with the Award.

(2) The Employer will assess each application for deferred salary on its merits and give consideration to the personal circumstances of the officer seeking the leave.

(3) On completion of the fourth year, an officer will be entitled to 12 months leave and will receive an amount equal to 80% of the salary they were otherwise entitled to in the fourth year of deferment.

(4) Where an officer completes four (4) years of deferred salary service and is not required to attend duty in the following year, the period of non-attendance shall not constitute a break in service and shall count as service on a pro-rata basis for all purposes.

(5) An officer may withdraw from this arrangement prior to completing a four-year period by written notice. The officer will receive a lump sum payment of salary forgone to that time but will not be entitled to equivalent absence from duty.

(6) The Employer will ensure that superannuation arrangements and taxation effects are fully explained to the officer by the Employing Authority. The Employer will put any necessary arrangements into place.

12. - SALARY PACKAGING ARRANGEMENT

(1) An officer may, by agreement with the Employer, enter into a salary packaging arrangement in accordance with this clause and Australian Taxation Office requirements.

(2) Salary packaging is an arrangement whereby the entitlements and benefits under this Award, contributing toward the Total Employment Cost (TEC) (as defined in subclause (3) of this clause) of an officer, can be reduced by and substituted with another or other benefits.

(3) The TEC for salary packaging purposes is calculated by adding the following entitlements and benefits:

(a) the base salary;

(b) other cash allowances;

(c) non cash benefits;

(d) any Fringe Benefit Tax liabilities currently paid; and

(e) any variable components.

(4) Where an officer enters into a salary packaging arrangement the officer will be required to enter into a separate written agreement with the Employer setting out the terms and conditions of the salary packaging arrangement.

(5) Notwithstanding any salary packaging arrangement, the salary rate as specified in this Award, is the basis for calculating salary related entitlements specified in the Award.

(6) Compulsory Employer Superannuation Guarantee contributions are to be calculated in accordance with applicable federal and state legislation. Compulsory Employer contributions made to superannuation schemes established under the *State Superannuation Act 2001* are calculated on the gross (pre packaged) salary amount regardless of whether an officer participates in a salary packaging arrangement with their Employer.

(7) A salary packaging arrangement cannot increase the costs to the Employer of employing an individual.

(8) A salary packaging arrangement is to provide that the amount of any taxes, penalties or other costs for which the Employer or officer is or may become liable for and are related to the salary packaging arrangement, shall be borne in full by the officer.

(9) In the event of any increase in taxes, penalties or costs relating to a salary packaging arrangement, the officer may vary or cancel that salary packaging arrangement.

13. – ANNUAL INCREMENTS

(1) Officers shall proceed to the maximum of their salary range by annual increments subject to a satisfactory report on the officer's level of performance and conduct.

(2) The following procedure will apply prior to the payment of an increment:

(a) Their manager will produce a report on the officer's performance and conduct no later than 12 months since the officer's last incremental advance.

(b) Where the report is satisfactory, the increment will be paid.

(c) Where the report is unsatisfactory:

(i) The officer will be shown the report and required to initial it.

(ii) The officer will be provided with an opportunity to comment in writing.

(iii) The officer's comments will be considered immediately by the Employer and a decision made as to whether to approve the payment of the increment or withhold payment for a specific period.

(iv) Where the increment is withheld, the Employer before the expiry of the specified period will complete a further report and the above provisions will apply.

(3) The non-payment of an increment will not change the normal anniversary date of any further increment payments.

(4) For the purposes of this clause "continuous service", except where an increment is payable according to age, shall not include:

(a) any period exceeding 14 calendar days during which an officer is absent on leave without pay. In the case of leave without pay which exceeds 14 calendar days the entire period of such leave without pay is excised in full;

(b) any period which exceeds six months in one continuous period during which an officer is absent on workers' compensation. Provided that only that portion of such continuous absence which exceeds six months shall not count as "continuous service";

(c) any period which exceeds three months in one continuous period during which an officer is absent on sick leave without pay. Provided that only that portion of such continuous absence which exceeds three months shall not count as "continuous service".

14. – HIGHER DUTIES ALLOWANCE

(1) An officer who is directed by the Employer to act in an office which is classified higher than the officer's own substantive office and who performs the full duties and accepts the full responsibility of the higher office for a continuous period of five (5) consecutive working days or more, shall, subject to the provisions of this clause, be paid an allowance equal to the difference between the officer's own salary and the salary the officer would receive if the officer was permanently appointed to the office in which the officer is so directed to act.

Provided that where the hours of duty of an officer performing shift work are greater than 8 hours per day as provided for in this Award the allowance shall be payable after the completion of 38 consecutive working hours in the higher classified position. This period shall not include any time worked as overtime.

(2) Where the full duties of a higher office are temporarily performed by two (2) or more officers they shall each be paid an allowance as determined by the Employer.

(3) An officer who is directed to act in a higher classified office but who is not required to carry out the full duties of the position and/or accept the full responsibilities, shall be paid such proportion of the allowance provided for in subclause (1) of this clause as the duties and responsibilities performed bear to the full duties and responsibilities of the higher office. Provided that the officer shall be informed, prior to the commencement of acting in the higher classified office, of the duties to be carried out, the responsibilities to be accepted and the allowance to be paid.

The allowance paid may be adjusted during the period of higher duties.

(4) Where an officer who has qualified for payment of higher duties allowance under this clause is required to act in another office or other offices classified higher than the officer's own for periods less than five consecutive working days without any break in acting service, such officer shall be paid a higher duties allowance for such periods: provided that payment shall be made at the highest rate the officer has been paid during the term of continuous acting or at the rate applicable to the office in which the officer is currently acting - whichever is the lesser.

(5) Where an officer is directed to act in an office which has an incremental range of salaries such an officer shall be entitled to receive an increase in the higher duties allowance equivalent to the annual increment the officer would have received had the officer been permanently appointed to such office; provided that acting service with allowances for acting in offices for the same classification or higher than the office during the eighteen (18) months preceding the commencement of such acting shall aggregate as qualifying service towards such an increase in the allowance.

(6) Where an officer who is in receipt of an allowance granted under this clause and has been so for a continuous period of twelve (12) months or more, proceeds on -

(a) a period of normal annual leave; or

(b) a period of any other approved leave of absence of not more than five (5) weeks,

the officer shall continue to receive the allowance for the period of leave: provided that this subclause shall also apply to an officer who has been in receipt of an allowance for less than twelve (12) months if during the officer's absence no other officer acts in the office in which the officer was acting immediately prior to proceeding on leave and the officer resumes in the office immediately on return from leave.

(7) For the purpose of this subclause the expression "normal annual leave" shall mean the annual period of recreation leave as referred to in Clause 17. - Annual Leave of this Award and shall include any public holidays and leave in lieu accrued during the preceding twelve (12) months taken in conjunction with such annual leave.

(8) Where officers in receipt of an allowance granted under this clause and proceeds on a period of annual leave in excess of the normal, such officers shall only receive payment of such allowance for the period of normal annual leave; and a period of any other approved leave of absence of more than five (5) weeks, such officers shall not be entitled to receive payment of such allowance for the whole or any part of the period of such leave.

15. - HOURS

(1) (a) From June 1st 1986 the ordinary hours of duty shall be an average of 38 per week with the hours actually worked being 160 in any period of 28 days.

Such hours shall be worked in not more than twenty shifts in any roster period, and shall where practicable be worked in shifts of eight hours duration.

(b) The ordinary hours shall be worked with 2 hours of each week's work accruing as an entitlement to a maximum of 12 Accrued Days Off in each twelve month period. The Accrued Days Off shall be taken as a minimum period of five consecutive days off in conjunction with annual leave or at a time mutually acceptable to the employer and employee.

(c) There shall be at least an eight hour break between the finishing time of one shift and the commencement of the following shift. In cases where such a break is not given payment at double the normal rate shall be made until such break is taken.

(2) (a) An employer and employee may by agreement substitute the Accrued Day Off the employee is to take off for another day in which case the Accrued Day Off shall become an ordinary working day.

(b) A roster for Accrued Days Off shall be posted at least four weeks before the time it comes into operation.

(c) By agreement between the employer and an officer Accrued Days Off may be rostered for and taken in advance of the due date.

(d) Accrued Days Off must be cleared in the calendar year in which they accrue. If, to meet the convenience of the employer, an employee cannot clear Accrued Days Off in the aforementioned calendar year then they shall be cleared in the next succeeding six months.

(e) Part time officers working sixteen hours and under per week will not accrue time off, but will be paid for all hours worked. Part time officers working over sixteen hours per week will accrue days off on the same basis as full time officers, but all benefits therefore will be pro-rata in the proportion that the number of hours worked bears to the hours worked by full time officers. This provision may be renegotiated if job sharing arrangements are introduced for Group Workers.

(f) Time off will not be accrued whilst officers are on annual leave and long service leave.

(g) Probationary Group Workers will not accrue time off whilst on day or block study leave release. Probationary Group Workers on day or study leave release will work a 38 hour week.

16. - OVERTIME

(1) Except as provided in subclauses (2) and (4) provisions of the Public Service Overtime Agreement 1973, No. 9 of 1973 as amended shall apply mutatis mutandis to officers covered by this Award.

(2) The provisions of Clause 5 of the Public Service Overtime Agreement 1973, No. 9 of 1973 do not apply to rostered officers. Overtime for these officers will be paid for at the following rates:-

(a) Monday to Saturday -

All time worked outside of or in excess of the ordinary working hours or on a shift other than a rostered shift shall be paid for at the rate of time and one half for the first three hours and double time thereafter.

(b) Sundays -

All time worked outside of or in excess of the ordinary working hours or on a shift other than a rostered shift shall be paid for at a rate of double the ordinary rate.

(c) Public Holidays -

All time worked outside of or in excess of the ordinary working hours or on a shift other than a rostered shift shall be paid for at a rate of double time and one half the ordinary rate.

(3) An officer who reports for duty at the rostered time for either a normal or overtime shift and is advised that the commencing time for such duty has altered since he was last on duty, or the duty is not required shall be paid a minimum of two hours at the rate applicable for that duty, but this shall not apply to an officer who was absent from duty on his last rostered shift.

(4) Overtime payments shall not apply until after eight hours have been worked that day or more than 160 hours have been worked in each 28 day period.

17. - ANNUAL LEAVE

(1) (a) Subject to the provision of subclause 2 of this Clause, the provisions of the Public Service Act, 1978, the Public Service Regulations, 1979 and Administrative Instructions made pursuant to Section 19 of the said Act relating to Annual Recreation Leave shall apply mutatis mutandis to officers covered by this Award.

(b) When an officer proceeds on the first four weeks of any annual leave there will be no accrual towards an Accrued Day Off.

Accrual towards an Accrued Day Off will continue during any other period such as the extra week for shift workers.

(c) Any annual leave entitlements as at June 1st 1986 shall be adjusted in hours in the ratio of 38 to 40.

(2) Each officer shall be entitled to five weeks, being 35 days of duty, annual leave per annum.

18. – PUBLIC HOLIDAYS

(1) The following days shall be allowed as holidays with pay:

(a) New Year’s Day, Australia Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, Anzac Day, Sovereign’s Birthday, Foundation Day, Labour Day, provided that the Employer may approve another day to be taken as a holiday in lieu of any of the above mentioned days.

(2) When any of the days mentioned in subclause (1) of this clause falls on a Saturday or on a Sunday, the holiday shall be observed on the next succeeding Monday.

When Boxing Day falls on a Sunday or Monday, the holiday shall be observed on the next succeeding Tuesday.

In each case the substituted day shall be a holiday without deduction of pay and the day for which it is substituted shall not be a holiday.

(3) An officer whilst on a public holiday prescribed by this Award shall continue to accrue an entitlement to an Accrued Day Off. When any of the days observed as a public holiday fall on a day when an officer is on an Accrued Day Off the officer shall be allowed to take a day's holiday in lieu of the holiday on a day immediately following the officer's annual leave or at a time mutually acceptable to the Employer and the officer.

19. – LONG SERVICE LEAVE

(1) Each officer who has completed a period of 7 years of continuous service in a permanent and/or fixed term contract capacity shall be entitled to 13 weeks of long service leave on full pay.

Officers may by agreement with their Employer, clear any accrued entitlement to long service leave in one-week periods.

(2) Each officer is entitled to an additional 13 weeks of long service leave on full pay for each subsequent period of 7 years of continuous service.

(3) A part-time officer shall have the same entitlement to long service leave, as full time officers however payment made during such periods of long service leave shall be adjusted according to the hours worked by the officer during that accrual period.

(4) For the purpose of determining an officer's long service leave entitlement, the expression "continuous service" includes any period during which the officer is absent on full pay or part pay from duties but does not include:

(a) any period exceeding two weeks during which the officer is absent on leave without pay or unpaid parental leave, except where leave without pay is approved for the purpose of fulfilling an obligation by the Government of Western Australia to provide staff for a particular assignment external to the Public Sector of Western Australia;

(b) any period during which an officer is taking long service leave entitlement or any portion thereof except in the case of subclause (9) when the period excised will equate to a full entitlement of 13 weeks;

(c) any service by an officer who resigns, is dismissed or whose services are otherwise terminated other than service prior to such resignation, dismissal or termination when that prior service has actually entitled the officer to the long service leave under this clause;

(d) any period of service that was taken into account in ascertaining the amount of a lump sum payment in lieu of long service leave;

(e) any service of a Cadet whilst undertaking full time studies.

(5) A long service leave entitlement, which fell due prior to March 16, 1988, amounted to three months. A long service leave entitlement, which falls due on or after that date, shall amount to thirteen weeks.

(6) Any Public Holiday or days in lieu of the repealed public service holidays occurring during an officers absence on long service leave shall be deemed to be a portion of the long service leave and extra days in lieu thereof shall not be granted.

(7) The Employer may direct an officer to take accrued long service leave and may determine the date on which such leave shall commence. Should the officer not comply with the direction, disciplinary action may be taken against the officer.

(8) An officer who has elected to retire at or over the age of 55 years and who will complete not less than 12 months continuous service before the date of retirement may take application to the Employer to take pro rata long service leave before the date of retirement, based on continuous service of a lesser period than that prescribed by this clause for a long service entitlement.

(9) Compaction of leave

(a) An officer who, during an accrual period was subject to variations in ordinary working hours or whose ordinary working hours during the accrual period are less than the officer's ordinary working hours at the time of commencement of long service leave, may elect to take a lesser period of long service leave calculated by converting the average ordinary working hours during the accrual period to the equivalent ordinary hours at the time of commencement of long service leave.

(b) Notwithstanding subclause (6) of this clause, an officer who has elected to compact an accrued entitlement to long service leave in accordance with paragraph (10)(a) of this clause, shall

only take such leave in any period on full pay, and the period excised as "continuous service" shall be 13 weeks.

(10) Portability

(a) Where an officer immediately prior to being employed, was employed in the service of:

The West Australian Public Service, or

The Commonwealth of Australia, or

Any other State Government of Australia, or

Any Western Australian State body or statutory authority

and the period between the date when the officer ceased previous employment and the date of commencing employment does not exceed one week, that officer shall be entitled to long service leave determined in the following manner:

(i) the pro rata portion of long service leave to which the officer would have been entitled up to the date of appointment shall be calculated in accordance with the provisions that applied to the previous employment referred to, but in calculating that period of pro rata long service leave, any long service leave taken or any benefit granted in lieu of any such long service leave during that employment shall be deducted from any long service leave to which the officer may become entitled under this clause; and

(ii) the balance of the long service leave entitlement of the officer shall be calculated upon appointment in accordance with the provisions of this clause.

(b) Nothing in this clause confers or shall be deemed to confer on any officer previously employed by the Commonwealth or by any other State of Australia any entitlement to a complete period of long service leave that accrued in the officer's favour prior to the date on which the officer commenced employment.

(11) Half Pay

Subject to the Employer's convenience, an Employer may approve an officer's application to take long service leave on full pay or half pay. In the case of long service leave which falls due on or after March 16, 1988 portions in excess of four weeks shall be in multiples of one week's entitlement.

(12) When an officer proceeds on long service leave there will be no accrual towards an Accrued Day Off. Payment for long service leave will continue to be at the ordinary weekly rate.

(13) Any long service leave accumulated as at June 1st 1986 shall be adjusted in hours in the ratio of 38 to 40.

(14) Lump Sum Payments

(a) On application to the employing authority, a lump sum payment for the money equivalent of any -

(i) Long service leave entitlement for continuous service as prescribed by subclause (1) and (2) of this clause shall be made to employee who resigns, retires, is retired or is dismissed or in respect of an officer who dies;

(ii) pro rata long service leave based on continuous service of a lesser period than that prescribed by subclause (1) and (2) of this clause for a long service leave entitlement shall be made -

(aa) to an employee who retires at or over the age of 55 years or who is retired on the grounds of ill health, if the officer has completed not less than 12 months continuous service before the date of retirement;

(bb) to an employee who, not having resigned, is retired by the employing authority for any other cause, if the employee has completed not less than 3 years continuous service before the date of retirement;

(cc) in respect of an officer who dies, if the officer has completed not less than 12 months continuous service before the date of death.

(b) In the case of a deceased employee, payment shall be made to the estate of the employee unless the employee is survived by a legal dependant, approved by the Employer, in which case payment shall be made to the legal dependant.

(c) The calculation of the amount due for long service leave accrued and for pro rata long service leave shall be made at the rate of salary of an officer at the date of retirement or resignation or death, whichever applies.

20. – SICK LEAVE

(1) Entitlement

(a) The Employer shall credit each permanent officer with the following sick leave credits, which shall be cumulative:

	Sick Leave on full pay	Sick Leave on half pay
On the day of initial appointment	38 hours	15.2 hours
On completion of 6 months continuous service	38 hours	22.8 hours
On the completion of 12 months continuous service	76 hours	38 hours
On the completion of each further period of 12 months continuous service	76 hours	38 hours

(b) An officer employed on a fixed term contract for a period greater than 12 months, shall be credited with the same entitlement as a permanent officer. An officer employed on a fixed term contract for a period less than 12 months, shall be credited with the same entitlement on a pro rata basis for the period of the contract.

(c) A part-time officer shall be entitled to the same sick leave credits, on a pro rata basis according to the number of hours worked each fortnight. Payment for sick leave shall only be made for those hours that would normally have been worked had the officer not been on sick leave.

(d) The provisions of this clause do not apply to casual officers.

(2) Evidence

(a) An application for sick leave exceeding two consecutive working days shall be supported by evidence to satisfy a reasonable person.

(b) The amount of sick leave granted without the production of evidence to satisfy a reasonable person required in paragraph (a) of this subclause shall not exceed, in the aggregate, 5 working days in any one-credit year.

(3) Where an application for leave is supported by the certificate of a registered medical practitioner, a further certificate from a registered medical practitioner nominated by the Employer may be required and if that certificate does not confirm or substantially confirm the certificate of the medical practitioner, the officer making the application for sick leave shall pay the fee due to the nominated medical practitioner in respect of the certificate.

(4) Where the Employer has occasion for doubt as to the cause of the illness or the reason for the absence, the Employer may arrange for a registered medical practitioner to visit and examine the officer, or may direct the officer to attend the medical practitioner for examination. If the report of the medical practitioner does not confirm that the officer is ill, or if the officer is not available for examination at the time of the visit of the medical practitioner, or fails, without reasonable cause, to attend the medical practitioner when directed to do so, the fee payable for the examination, appointment or visit shall be paid by the officer.

(5) If the Employer has reason to believe that an officer is in such a state of health as to render a danger to fellow officers or the public, the officer may be required to obtain and furnish a report as to their condition from registered medical practitioner nominated by the Employer. The fee for any such examination shall be paid by the Employer.

(6) Where an officer is ill during the period of annual leave and produces at the time, or as soon as practicable thereafter, medical evidence to the satisfaction of the Employer that as a result of the illness the officer was confined to their place of residence or a hospital for a period of at least seven consecutive calendar days, the Employer may grant sick leave for the period during which the officer was so confined and reinstate annual leave equivalent to the period of confinement.

(7) Where an officer is ill during the period of long service leave and produces at the time, or as soon as practicable thereafter, medical evidence to the satisfaction of the Employer that as a result of illness the officer was confined to their place of residence or a hospital for a period of at least 14 consecutive calendar days, the Employer may grant sick leave for the period during which the officer was so confined and reinstate long service leave equivalent to the period of confinement.

(8) An officer who is absent on leave without pay is not eligible for sick leave during the currency of that leave without pay.

(9) No sick leave shall be granted with pay, if the illness has been caused by the misconduct of the officer or in any case of absence from duty without sufficient cause.

(10) Where an officer who has been retired on medical grounds resumes duty therein, sick leave credits at the date of retirement shall be reinstated. This provision does not apply to an officer who has resigned and is subsequently reappointed.

(11) Workers' Compensation

Where an officer suffers a disability within the meaning of section 5 of the *Workers' Compensation & Rehabilitation Act 1981*, which necessitates that officer being absent from duty, sick leave with pay shall be granted to the extent of sick leave credits. In accordance with section 80(2) of the *Workers' Compensation & Rehabilitation Act 1981* where the claim for workers' compensation is decided in favour of the officer, sick leave credit is to be reinstated and the period of absence shall be granted as sick leave without pay.

(12) War Caused Illnesses

(a) An officer who produces a certificate from the Department of Veterans' Affairs stating that the officer suffers from war caused illness may be granted special sick leave credits of 114 hours (15 standard hour days) per annum on full pay in respect of that war caused illness. These credits shall accumulate up to a maximum credit of 342 hours and (45 standard hour days), and shall be recorded separately to the officer's normal sick leave credit.

(b) Every application for sick leave for war caused illness shall be supported by a certificate from a registered medical practitioner as to the nature of the illness.

(13) Portability

(a) The Employer shall credit an officer additional sick leave credits up to those held at the date that officer ceased previous employment provided:

(i) immediately prior to commencing employment the officer was employed in the service of:

(aa) The West Australian Public Service, or

(bb) The Commonwealth Government of Australia, or

(cc) Any other State of Australia, or

(dd) In a Western Australian State body or statutory authority.

(ii) the officer's employment commenced no later than one week after ceasing previous employment.

(b) The maximum break in employment permitted by subparagraph (a)(ii) of this subclause, may be varied by the approval of the Employer provided that where employment commenced more than one week after ceasing the previous employment, the period in excess of one week does not exceed the amount of accrued and pro rata annual leave paid out at the date the officer ceased with the previous Employer.

(14) Paid sick leave cannot be claimed in respect of any time the officer is on an Accrued Day Off.

(15) An officer whilst on paid sick leave shall continue to accrue an entitlement to an Accrued Day Off.

(16) Whilst on paid sick leave an officer shall receive the wages they would have received had they not proceeded on sick leave and shall have the accrued entitlement to paid sick leave reduced by the time the officer is absent from work on account of paid sick leave.

(17) Any sick leave accumulated as at June 1st, 1986 shall be adjusted in hours in the ratio of 38 to 40.

(18) For the purposes of this clause "service" shall not include:

(a) any period exceeding 14 calendar days during which an officer is absent on leave without pay. In the case of leave without pay which exceeds 14 calendar days, the entire period of such leave without pay is excised in full;

(b) any period which exceeds six months in one continuous period during which an officer is absent on workers' compensation. Provided that only that portion of such continuous absence which exceeds six months shall not count as "service";

(c) any period which exceeds three months in one continuous period during which an officer is absent on sick leave without pay. Provided that only that portion of such continuous absence which exceeds three months shall not count as "service".

21. - CARERS LEAVE

(1) An officer is entitled to use, each year, up to five (5) days of the officers sick leave entitlement per year to be the primary care giver of a member of the officer's family or household who is ill or injured and in need of immediate care and attention.

(2) Officers shall, wherever practical, give the Employer notice of the intention to take carers leave and the estimated length of absence. If it is not practicable to give prior notice of absence officers shall notify the Employer as soon as possible on the first day of absence.

(3) Officers shall provide, where required by the Employer, evidence to establish the requirement to take carers leave. An application for carers leave exceeding two (2) consecutive working days shall be supported by evidence that would satisfy a reasonable person of the entitlement.

(4) The definition of family shall be a person who is related to the officer by blood, marriage, affinity or adoption and includes a person who is wholly or mainly dependent on, or is a member of the household of, the officer.

(5) Carers leave may be taken on an hourly basis or part thereof.

22. - PARENTAL LEAVE

(1) Definition:

(2) Entitlement to Parental and Partner Leave

"Officer" includes full time, part time, permanent and fixed term contract officers.

"Primary Care Giver" is the officer who will assume the principal role for the care and attention of a child/children. The Employer may require confirmation of primary care giver status.

"Replacement Officer" is an officer specifically engaged to replace an officer proceeding on parental leave.

"Partner" means a person who is a spouse or de facto partner.

"Public sector" means an employing authority as defined in Section 5 of the *Public Sector Management Act 1994.*

(a) An officer is entitled to a period of up to 52 weeks unpaid parental leave in respect of the:

(i) birth of a child to the officer or the officer's partner; or

(ii) adoption of a child who is not the child or the stepchild of the officer or the officer's partner; is under the age of five (5); and has not lived continuously with the officer for six (6) months or longer.

(b) An officer identified as the primary care giver of a child and who has completed twelve months continuous service in the Western Australian public sector shall be entitled to six (6) weeks paid parental leave. Paid parental leave will form part of the 52-week entitlement provided in subclause (2) (a) of this clause.

(c) A pregnant officer can commence the period of paid parental leave any time up to six (6) weeks before the expected date of birth and no later than four (4) weeks after the birth. Any other primary care giver can commence the period of paid parental leave from the birth date or for the purposes of adoption from the placement of the child but no later than four (4) weeks after the birth or placement of the child.

(d) Paid parental leave for primary care purposes for any one birth or adoption shall not exceed six (6) weeks.

(e) The paid and unpaid parental leave entitlement up to a maximum of 52 weeks may be shared between partners assuming the role of primary care giver.

(f) Parental leave may not be taken concurrently by an officer and his or her partner except under special circumstances and with the approval of the Employer.

(g) Where less than the standard parental leave is taken the unused portion of the period of paid or unpaid leave cannot be preserved in any way.

(h) An officer may elect to receive pay in advance for the period of paid parental leave at the time the parental leave commences, or may elect to be paid the entitlement on a fortnightly basis over the period of the paid parental leave.

(i) An officer is eligible, without resuming duty, for subsequent periods of parental leave in accordance with the provisions of this clause.

(3) Partner Leave

An officer who is not a primary care giver shall be entitled to a period of unpaid partner leave of up to one (1) week at the time of the birth of a child/children to his or her partner. In the case of adoption of a child this period shall be increased to up to three (3) weeks unpaid leave.

(4) Birth of a child

(a) An officer shall provide the Employer with a medical certificate from a registered medical practitioner naming the officer, or the officer's partner confirming the pregnancy and the estimated date of birth.

(b) If the pregnancy results in other than a live child or the child dies in the six weeks immediately after the birth, the entitlement to paid parental leave remains intact.

(5) Adoption of a child

(a) An officer seeking to adopt a child shall be entitled to two (2) days unpaid leave to attend interviews or examinations required for the adoption procedure. Officers working or residing outside the Perth metropolitan area are entitled to an additional day's unpaid leave. The officer may take any paid leave entitlement in lieu of this leave.

(b) If an application for parental leave has been granted for the adoption of a child, which does not eventuate, then the period of paid or unpaid parental leave is terminated. Officers may take any other paid leave entitlement in lieu of the terminated parental leave or return to work.

(6) Other leave entitlements

(a) An officer proceeding on unpaid parental leave may elect to substitute any part of that leave with accrued annual leave or long service leave for the whole or part of the period of unpaid parental leave.

(b) Subject to all other leave entitlements being exhausted an officer shall be entitled to apply for leave without pay following parental leave to extend their leave by up to two (2) years. The Employer's approval is required for such an extension.

(c) Any period of leave without pay must be applied for and approved in advance and will be granted on a year-by-year basis. Where both partners work for the Employer the total combined period of leave without pay following parental leave will not exceed two (2) years.

(d) An officer on parental leave is not entitled to paid sick leave and other paid absences other than as specified in subclause (6) (a) and (6) (e).

(e) Should the birth or adoption result in other than the arrival of a living child, the officer shall be entitled to such period of paid sick leave or unpaid leave for a period certified as necessary by a registered medical practitioner. Such paid sick leave cannot be taken concurrently with paid parental leave.

(f) Where a pregnant officer not on parental leave suffers illness related to the pregnancy or is required to undergo a pregnancy related medical procedure the officer may take any paid sick leave to which the officer is entitled or unpaid leave for a period as certified necessary by a registered medical practitioner.

(7) Notice and Variation

(a) The officer shall give not less than four (4) weeks notice in writing to the Employer of the date the officer proposes to commence paid or unpaid parental leave stating the period of leave to be taken.

(b) An officer seeking to adopt a child shall not be in breach of subclause (7) (a) by failing to give the required period of notice if such failure is due to the requirement of the adoption agency to accept earlier or later placement of a child, or other compelling circumstances.

(c) An officer proceeding on parental leave may elect to take a shorter period of parental leave and may at any time during that period elect to reduce or extend the period stated in the original application, provided four (4) weeks written notice is provided.

(8) Transfer to a Safe Job

Where illness or risks arising out of pregnancy or hazards connected with the work assigned to the pregnant officer make it inadvisable for the officer to continue in her present duties, the duties shall be modified or the officer may be transferred to a safe position at the same classification level until the commencement of parental leave.

(9) Replacement Officer

Prior to engaging a replacement officer the Employer shall inform the person of the temporary nature of the employment and the entitlements relating to the return to work of the officer on parental leave.

(10) Return to Work

(a) An officer shall confirm the intention to return to work by notice in writing to the Employer not less than four (4) weeks prior to the expiration of parental leave.

(b) Where an Employer has made a definite decision to introduce major changes that are likely to have a significant effect on the officer's position the Employer shall notify the officer while they are on parental leave.

(c) An officer on return to work from parental leave will be entitled to the same position or a position equivalent in pay, conditions and status and commensurate with the officer's skill and abilities as the substantive position held immediately prior to proceeding on parental leave. Where the officer was transferred to a safe job the officer is entitled to return to the position occupied immediately prior to transfer.

(d) An officer may return on a part time or job-share basis to the substantive position occupied prior to the commencement of leave or to a different position at the same classification level in accordance with the part time provisions of the Award.

(e) Subject to the employer's approval an officers who has returned to work on a part time basis may revert to full time work at the same classification level within two (2) years of the recommencement of work.

(11) Effect of Parental Leave on the Contract of Employment

(a) An officer employed for a fixed term contract shall have the same entitlement to parental leave, however the period of leave granted shall not extend beyond the term of that contract.

(b) Paid parental leave will count as qualifying service for all purposes under the relevant award and agreement. Absence on unpaid parental leave shall not break the continuity of service of officers but shall not be taken into account in calculating the period of service for any purpose under the Award.

(c) An officer on parental leave may terminate employment at any time during the period of leave by written notice in accordance with the relevant award and agreement.

(d) An Employer shall not terminate the employment of an officer on the grounds of the officer's application for parental leave or absence on parental leave but otherwise the rights of the Employer in respect of termination of employment are not affected.

23. - LEAVEWITHOUTPAY

(1) Subject to the provisions of subclause (2) of this clause, the Employer may grant an officer leave without pay for any period and is responsible for that officer on their return.

(2) Every application for leave without pay will be considered on its merits and may be granted provided that the following conditions are met:

(a) The work of the Employer is not inconvenienced; and

(b) All other leave credits of the officer are exhausted.

(3) An officer on a fixed term contract may not be granted leave without pay for any period beyond that officer's approved period of engagement.

(4) An officer who is absent on any form of leave without pay for less than a total of five days in any 12 month work cycle shall not have payment reduced when proceeding on Accrued Days Off.

(5) An officer who is absent on any form of leave without pay for a total of five days or more in any 12 month work cycle will have such period of leave added to the work cycle.

24. – STUDY LEAVE

(1) Conditions for Granting Time Off

(a) An officer may be granted time off with pay for study purposes at the discretion of the Employer.

(b) Part-time officers are entitled to study leave on the same basis as full time officers. Officers working shift work or on fixed term contracts have the same access to study leave as all other officers

(c) Time off with pay may be granted up to a maximum of five hours per week including travelling time, where subjects of approved courses are available during normal working hours, or where approved study by correspondence is undertaken.

(d) Officers who are obliged to attend educational institutions for compulsory block sessions, may be granted time off with pay including travelling time up to the maximum annual amount allowed in subclause (1)(c) of this clause.

(e) Officers shall be granted sufficient time off with pay to travel to and sit for the examinations of any approved course of study.

(f) In every case the approval of time off to attend lectures and tutorials will be subject to:

(i) agency convenience;

(ii) the course being undertaken on a part-time basis;

(iii) officers undertaking an acceptable formal study load in their own time;

(iv) officers making satisfactory progress with their studies;

(v) the course being of value to the agency; and

(vi) the Employer's discretion when the course is only relevant to the officer's career in the Service and being of value to the State.

(g) A service agreement or bond will not be required.

(2) Payment of Fees

(a) Cadets and Trainees

(i) Agencies are to meet the payment of higher education administrative charges for cadets and trainees who, as a condition of their employment, are required to undertake studies at a University or College of Advanced Education. Officers who of their own volition attend such institutions to gain higher qualifications will be responsible for the payment of fees.

(ii) This assistance does not include payment of text books or guild and society fees.

(iii) An officer who is required to repeat a full academic year of the course will be responsible for payment of the higher education fees for that particular year

(b) All Officers

The Employer has the discretion to reimburse an officer for the full or part of any reasonable costs of enrolment fees, Higher Education Contribution Surcharge, compulsory textbooks, compulsory computer software, and other necessary study materials. Half of the value of the agreed costs shall be reimbursed immediately following production of written evidence of enrolment and costs incurred, and the remaining half shall be reimbursed following production of written evidence of successful completion of the subject for which reimbursement has been claimed. The Employer and officer may agree to alternative reimbursement arrangements.

(3) (a) Approved Courses

(i) First-degree or associate diploma courses at a University within the state of Western Australia.

(ii) First degree or associate diploma courses at a college of advanced education.

(iii) Diploma courses at Technical and Further Education (TAFE).

(iv) Two-year full time Certificate courses at TAFE.

(v) Courses recognised by the National Authority for the Accreditation of Translators and Interpreters (NAATI) in a language relevant to the needs of the Public Sector.

(b) Except as outlined in subclause (3)(d) of this clause, officers are not eligible for study assistance if they already possess one of the qualifications specified in subclause (3)(a)(i) and 3(a)(ii) of this clause.

(c) An officer who has completed a Diploma through TAFE is eligible for study assistance to undertake a degree course at a University within the state of Western Australia or a College of Advanced Education. An officer who has completed a two year full time Certificate through

TAFE is eligible for study assistance to undertake a Diploma course specified in subclause (3)(a)(iii) or a degree or associate diploma course specified in subclause (3)(a)(i) or (3)(a)(ii) of this clause.

(d) Assistance towards additional qualifications including second or higher degrees may be granted in special cases, at the discretion of the Employer.

(4) (a) An acceptable part-time study load should be regarded as not less than five hours per week of formal tuition with at least half of the total formal study commitment being undertaken in the officer's own time, except in special cases such as where the officer is in the final year of study and requires less time to complete the course, or the officer is undertaking the recommended part-time year or stage and this does not entail five hours formal study.

(b) A first degree or Associate Diploma course does not include the continuation of a degree or Associate Diploma towards a higher postgraduate qualification.

(c) In cases where officers are studying subjects which require fortnightly classes the weekly study load should be calculated by averaging over two weeks the total fortnightly commitment.

(d) In agencies which are operating on flexi-time, time spent attending or travelling to or from formal classes for approved courses between 8.15 am and 4.30 pm, less the usual lunch break, and for which "time off" would usually be granted, is to be counted as credit time for the purpose of calculating total hours worked per week.

(e) Travelling time returning home after lectures or tutorials is to be calculated as the excess time taken to travel home from such classes, compared with the time usually taken to travel home from the officer's normal place of work.

(f) An officer shall not be granted more than 5 hours time off with pay per week except in exceptional circumstances where the Employer may decide otherwise.

(g) Time off with pay for those who have failed a unit or units may be considered for one repeat year only.

(5) Subject to the provisions of subclause (6) of this clause, the Employer may grant an officer full time study leave with pay to undertake:

(a) post graduate degree studies at Australian or overseas tertiary education institutions; or

(b) study tours involving observations and/or investigations; or

(c) a combination of postgraduate studies and study tour.

(6) Applications for full time study leave with pay are to be considered on their merits and may be granted provided that the following conditions are met:

(a) The course or a similar course is not available locally. Where the course of study is available locally, applications are to be considered in accordance with the provisions of subclause (1) to (5) of this clause and the Leave Without Pay provisions of this Award.

(b) It must be a highly specialised course with direct relevance to the officer's profession.

(c) It must be highly relevant to the agency's corporate strategies and goals.

(d) The expertise or specialisation offered by the course of study should not already be available through other officers employed within the agency.

(e) If the applicant was previously granted study leave, studies must have been successfully completed at that time. Where an officer is still under a bond, this does not preclude approval being granted to take further study leave if all the necessary criteria are met.

(f) A fixed term contract officer may not be granted study leave with pay for any period beyond that officer's approved period of engagement.

(7) Full time study leave with pay may be approved for more than 12 months subject to a yearly review of satisfactory performance.

(8) Where an outside award is granted and the studies to be undertaken are considered highly desirable by an Employer, financial assistance to the extent of the difference between the officer's normal salary and the value of the award may be considered. Where no outside award is granted and where a request meets all the necessary criteria then part or full payment of salary may be approved at the discretion of the Employer.

(9) The Employer supports recipients of coveted awards and fellowships by providing study leave with pay. Recipients normally receive as part of the award or fellowship; return airfares, payment of fees, allowance for books, accommodation or a contribution towards accommodation.

(10) Where recipients are in receipt of a living allowance, this amount should be deducted from the officer's salary for that period.

(11) Where the Employer approves full time study leave with pay the actual salary contribution forms part of the agency's approved average staffing level funding allocation. Employers should bear this in mind if considering temporary relief.

(12) Where study leave with pay is approved and the Employer also supports the payment of transit costs and/or an accommodation allowance, the Employer will gain approval for the transit and accommodation costs as required.

(13) Where officers travelling overseas at their own expense wish to participate in a study tour or convention whilst on tour, study leave with pay may be approved by the Employer together with some local transit and accommodation expenses providing it meets the requirements of subclause (6) of this clause. Each case is to be considered on its merits.

(14) The period of full time study leave with pay is accepted as qualifying service for leave entitlements and other privileges and conditions of service prescribed for officers under this Award.

(15) When an officer proceeds on study leave there will be an accrual towards an Accrued Day Off.

25. – SHORT LEAVE

(1) (a) An Employer may, upon sufficient cause being shown, grant an officer short leave on full pay not exceeding 2 consecutive working days, but any leave granted under the provisions of this clause shall not exceed, in the aggregate, 22.8 working hours in any one calendar year.

(b) Part-time officers are eligible for short leave in accordance with this clause, on a pro rata basis calculated in accordance with the following formula:

$$\frac{\text{Hours worked per fortnight}}{76} \times \frac{22.8 \text{ hours}}{1}$$

(c) An officer employed on a fixed term contract of less than twelve months shall be eligible for pro rata short leave in accordance with this clause.

(2) Subject to the prior approval of the supervisor, officers located outside a radius of fifty (50) kilometres from the Perth City Railway Station shall be allowed Short Leave where pressing personal matters can only be dealt with within the required hours of duty.

(3) An officer shall not be entitled to claim payment for short leave on a day when that officer is absent on an Accrued Day Off. An officer whilst on short leave shall continue to accrue an entitlement to an Accrued Day Off.

26. - BEREAVEMENT LEAVE

(1) Officers including casuals shall on the death of:

the spouse or de-facto partner of the officer;

the child or step-child of the officer;

the parent or step-parent of the officer;

the brother, sister, step brother or step sister; or

any other person who, immediately before that person's death, lived with the officer as a member of the officer's family;

be eligible for up to two (2) days paid bereavement leave, provided that at the request of an officer the Employer may exercise a discretion to grant bereavement leave to an officer in respect of some other person with whom the officer has a special relationship.

(2) The two (2) days need not be consecutive.

(3) Bereavement leave is not to be taken during any other period of leave.

(4) Payment of such leave may be subject to the officer providing evidence of the death or relationship to the deceased, satisfactory to the Employer.

(5) An officer requiring more than two days bereavement leave in order to travel overseas in the event of the death overseas of a member of the officer's immediate family may, upon providing adequate proof, in addition to any bereavement leave to which the officer is eligible, have immediate access to annual leave and/or accrued long service leave in weekly multiples and/or leave without pay provided all accrued leave is exhausted.

27. - CULTURAL/CEREMONIAL LEAVE

(1) Cultural/ceremonial leave shall be available to all officers.

(2) Such leave shall include leave to meet the officer's customs, traditional law and to participate in cultural and ceremonial activities.

(3) Officers are entitled to time off without loss of pay for cultural /ceremonial purposes, subject to agreement between the Employer and officer and sufficient leave credits being available.

(4) The Employer will assess each application for ceremonial /cultural leave on its merits and give consideration to the personal circumstances of the officer seeking the leave.

(5) The Employer may request reasonable evidence of the legitimate need for the officer to be allowed time off.

(6) Cultural /ceremonial leave may be taken as whole or part days off. Each day or part thereof, shall be deducted from:

(a) the officer's annual leave entitlements;

(b) accrued days off or time in lieu; or

(c) short leave when entitlements under subclauses (a) and (b) have been fully exhausted.

(7) Time off without pay may be granted by arrangement between the Employer and the officer for cultural/ceremonial purposes.

28. - BLOOD/PLASMA DONORS LEAVE

(1) Subject to operational requirements, officers shall be entitled to absent themselves from the workplace in order to donate blood or plasma in accordance with the following general conditions:

(a) prior arrangements with the supervisor has been made and at least two (2) days' notice has been provided; or

(b) the officer is called upon by the Red Cross Blood Centre.

(2) The notification period shall be waived or reduced where the supervisor is satisfied that operations would not be unduly affected by the officer's absence.

(3) The officer shall be required to provide proof of attendance at the Red Cross Blood Centre upon return to work.

(4) Officers shall be entitled to two (2) hours of paid leave per donation for the purpose of donating blood to the Red Cross Blood Centre.

29. - EMERGENCY SERVICE LEAVE

(1) Subject to operational requirements, paid leave of absence shall be granted by the Employer to an officer who is an active volunteer member of State Emergency Service Units, St John Ambulance Brigade, Volunteer Fire and Rescue Service Brigades, Bush Fire Brigades, Volunteer Marine Rescue Services Groups or FESA Units, in order to allow for attendance at emergencies as declared by the recognised authority.

(2) The Employer shall be advised as soon as possible by the officer, the emergency service, or other person as to the absence and, where possible, the expected duration of leave.

(3) The officer must complete a leave of absence form immediately upon return to work.

(4) The application form must be accompanied by a certificate from the emergency organisation certifying that the officer was required for the specified period.

(5) An officer, who during the course of an emergency, volunteers their services to an emergency organisation, shall comply with subclauses (2), (3) and (4).

30. - UNION FACILITIES FOR UNION REPRESENTATIVES

(1) The Employer recognises the rights of the union to organise and represent its members. Union representatives in the agency have a legitimate role and function in assisting the union in the tasks of recruitment, organising, communication and representing members' interests in the workplace, agency and union electorate.

(2) The Employer recognises that, under the union's rules, union representatives are members of an Electorate Delegates Committee representing members within a union electorate. A union electorate may cover more than one agency.

(3) The Employer will recognise union representatives in the agency and will allow them to carry out their role and functions.

(4) The union will advise the Employer in writing of the names of the union representatives in the agency.

(5) The Employer shall recognise the authorisation of each union representative in the agency and shall provide them with the following:

(a) Paid time off from normal duties to perform their functions as a union representative such as organising, recruiting, individual grievance handling, collective bargaining, involvement in the electorate delegates committee and to attend union business in accordance with Clause 31. - Leave to Attend Association Business of this Award.

(b) Access to facilities required for the purpose of carrying out their duties. Facilities may include but not be limited to, the use of filing cabinets, meeting rooms, telephones, fax, email, internet, photocopiers and stationery. Such access to facilities shall not unreasonably affect the operation of the organisation and shall be in accordance with normal agency protocols.

(c) A noticeboard for the display of union materials including broadcast email facilities.

(d) Paid access to periods of leave for the purpose of attending union training courses in accordance with Clause 32. - Trade Union Training Leave of this Award. Country representatives will be provided with appropriate travel time.

(e) Notification of the commencement of new officers, and as part of their induction, time to discuss the benefits of union membership with them.

(f) Access to awards, agreements, policies and procedures.

(g) The names of any Equal Employment Opportunity and Occupational Health, Safety and Welfare representatives.

(6) The Employer recognises that it is paramount that union representatives in the workplace are not threatened or disadvantaged in any way as a result of their role as a union representative.

31. – LEAVE TO ATTEND ASSOCIATION BUSINESS

(1) The Employer shall grant paid leave at the ordinary rate of pay during normal working hours to an officer:

(a) who is required to attend or give evidence before any Industrial Tribunal;

(b) who as a Union-nominated representative is required to attend any negotiations and/or proceedings before an Industrial Tribunal and/or meetings with Ministers of the Crown, their staff or any other representative of Government;

(c) when prior arrangement has been made between the Union and the Employer for the officer to attend official Union meetings preliminary to negotiations and/or Industrial Tribunal proceedings; and

(d) who as a Union-nominated representative is required to attend joint union/management consultative committees or working parties.

(2) The granting of leave is subject to convenience and shall only be approved:

(a) where reasonable notice is given for the application for leave;

(b) for the minimum period necessary to enable the union business to be conducted or evidence to be given; and

(c) for those officers whose attendance is essential.

(3) The Employer shall not be liable for any expenses associated with an officer attending to union business.

(4) Leave of absence granted under this clause shall include any necessary travelling time in normal working hours.

(5) An officer shall not be entitled to paid leave to attend to union business other than as prescribed by this Clause.

(6) The provisions of the Clause shall not apply to:

(a) special arrangements made with the union which provide for unpaid leave for officers to conduct union business;

(b) when an officer is absent from work without the approval of the Employer; and

(c) casual officers.

32. – TRADE UNION TRAINING LEAVE

(1) Subject to Employers convenience and the provisions of this clause:

(a) The Employer shall grant paid leave of absence to officers who are nominated by the Association to attend short courses relevant to the public sector or the role of union workplace representative, conducted by the Association.

(b) The Employer shall grant paid leave of absence to attend similar courses or seminars as from time to time approved by agreement between the Employer and the Association.

(2) An officer shall be granted up to a maximum of five (5) days paid leave per calendar year for trade union training or similar courses or seminars as approved. However, leave of absence in excess of five (5) days and up to ten (10) days may be granted in any one calendar year provided that the total leave being granted in that year and in the subsequent year does not exceed ten (10) days.

(3) (a) Leave of absence will be granted at the ordinary rate of pay and shall not include shift allowances, penalty rates or overtime.

(b) Where a Public Holiday or rostered day off falls during the duration of a course, a day off in lieu of that day will not be granted.

(c) Subject to paragraph (3)(a) of this clause, shift workers attending a course shall be deemed to have worked the shifts they would have worked had leave not been taken to attend the course.

(d) Part-time officers shall receive the same entitlement as full time officers, but payment shall only be made for those hours that would normally have been worked but for the leave.

(4) (a) Any application by an officer shall be submitted to the Employer for approval at least four weeks before the commencement of the course unless the Employer agrees otherwise.

(b) All applications for leave shall be accompanied by a statement from the union indicating that the officer has been nominated for the course. The application shall provide details as to the

subject, commencement date, length of course, venue and the authority, which is conducting the course.

(5) A qualifying period of twelve months service shall be served before an officer is eligible to attend courses or seminars of more than a half-day duration. The Employer may, where special circumstances exist, approve an application to attend a course or seminar where an officer has less than twelve months service.

(6) (a) The Employer shall not be liable for any expenses associated with an officer's attendance at trade union training courses.

(b) Leave of absence granted under this clause shall include any necessary travelling time in normal working hours immediately before or after the course.

33. – DEFENCE FORCE RESERVES LEAVE

(1) The Employer must grant leave of absence for the purpose of Defence service to an officer who is a volunteer member of the Defence Force Reserves or the Cadet Force. Defence service means service, including training, in a part of the Reserves or Cadet Force.

(2) Leave of absence may be paid or unpaid in accordance with the provisions of this clause.

(3) Application for leave of absence for Defence service shall, in all cases, be accompanied by evidence of the necessity for attendance. At the expiration of the leave of absence granted, the officer shall provide a certificate of attendance to the Employer.

(4) Paid Leave

(a) An officer who is a volunteer member of the Defence Force Reserves or the Cadet Force is entitled to paid leave of absence for Defence service, subject to the conditions set out hereunder.

(b) Part-time officers shall receive the same paid leave entitlement as full-time officers, but payment shall only be made for those hours that would normally have been worked but for the leave.

(c) On written application, an officer shall be paid salary in advance when proceeding on such leave.

(d) Casual officers are not entitled to paid leave for the purpose of Defence service.

(e) An officer is entitled to paid leave for a period not exceeding 105 hours on full pay in any period of twelve months commencing on 1 July in each year.

(f) An officer is entitled to a further period of leave, not exceeding 16 calendar days, in any period of twelve months commencing on July 1. Pay for this leave shall be at the rate of the difference between the normal remuneration of the officer and the Defence Force payments to which the officer is entitled if such payments do not exceed normal salary. In calculating the pay differential, pay for Saturdays, Sundays, Public Holidays and rostered days off is to be excluded, and no account is to be taken of the value of any board or lodging provided for the officer.

(5) Unpaid Leave

(a) Any leave for the purpose of Defence service that exceeds the paid entitlement prescribed in subclause (4) of this clause shall be unpaid.

(b) Casual officers are entitled to unpaid leave for the purpose of Defence service.

(6) Use of Other Leave

(a) An officer may elect to use annual or long service leave credits for some or all of their absence on Defence service, in which case they will be treated in all respects as if on normal paid leave.

(b) An Employer cannot compel an officer to use annual leave or long service leave for the purpose of Defence service.

34. - WITNESS AND JURY SERVICE

Witness

(1) An officer subpoenaed or called as a witness to give evidence in any proceeding shall as soon as practicable notify the manager/supervisor who shall notify the Employer.

(2) Where an officer is subpoenaed or called as a witness to give evidence in an official capacity that officer shall be granted by the Employer leave of absence with pay, but only for such period as is required to enable the officer to carry out duties related to being a witness. If the officer is on any form of paid leave, the leave involved in being a witness will be reinstated, subject to the satisfaction of the Employer. The officer is not entitled to retain any witness fee but shall pay all fees received into Consolidated Fund. The receipt for such payment with a voucher showing the amount of fees received shall be forwarded to the Employer.

(3) An officer subpoenaed or called as a witness to give evidence in an official capacity shall, in the event of non-payment of the proper witness fees or travelling expenses as soon as practicable after the default, notify the Employer.

(4) An officer subpoenaed or called, as a witness on behalf of the Crown, not in an official capacity shall be granted leave with full pay entitlements. If the officer is on any form of paid leave, this leave shall not be reinstated as such witness service is deemed to be part of the officer's civic duty. The officer is not entitled to retain any witness fees but shall pay all fees received into Consolidated Fund.

(5) An officer subpoenaed or called as a witness under any other circumstances other than specified in subclauses (2) and (4) of this clause shall be granted leave of absence without pay except when the officer makes an application to clear accrued leave in accordance with Award provisions.

Jury

(6) An officer required to serve on a jury shall as soon as practicable after being summoned to serve, notify the supervisor/manager who shall notify the Employer.

(7) An officer required to serve on a jury shall be granted by the Employer leave of absence on full pay, but only for such period as is required to enable the officer to carry out duties as a juror.

(7) An officer granted leave of absence on full pay as prescribed in subclause 6 of this clause is not entitled to retain any juror's fees but shall pay all fees received into Consolidated Fund. The receipt for such payment shall be forwarded with a voucher showing the amount of juror's fees received to the Employer.

35. - DISTRICT ALLOWANCE

(1) For the purposes of this clause the following terms shall have the following meanings:

"Dependant" in relation to an officer means:

(a) a spouse; or

(b) where there is no spouse, a child or any other relative resident within the State who rely on the officer for their main support who does not receive a district or location allowance of any kind.

(c) "Partial dependant" in relation to an officer (for the purpose of district allowance) means:

(i) a spouse; or

(ii) where there is no spouse, a child or any other relative resident within the State who rely on the officer for their main support; who receives a district or location allowance of any kind less than that applicable to an officer without dependants under any award, agreement or other provision regulating the employment of the partial dependant.

"Spouse" means an officer's spouse including de facto partner.

(2) Boundaries

For the purpose of Schedule B. - District Allowance of this Award, the boundaries of the various districts shall be as described hereunder and as delineated on the plan in Schedule B. - District Allowance to this Award.

District:

(i) The area within a line commencing on the coast; thence east along lat 28 to a point north of Tallering Peak, thence due south to Tallering Peak; thence southeast to Mt Gibson and Burracoppin; thence to a point southeast at the junction of lat 32 and long 119; thence south along long 119 to coast.

(ii) That area within a line commencing on the south coast at long 119 then east along the coast to long 123; then north along long 123 to a point on lat 30; thence west along lat 30 to the boundary of No. 1 District.

(iii) The area within a line commencing on the coast at lat 26; thence along lat 26 to long 123; thence sough along long 123 to the boundary of No 2 District.

(iv) The area within a line commencing on the coast at lat 24; thence east to the South Australian border; thence south to the coast; thence along the coast to long 123 thence north to the intersection of lat 26; thence west along lat 26 to the coast.

(v) That area of the State situated between the lat 24 and a line running east from Carnot Bay to the Northern Territory Border.

(vi) That area of the State north of a line running east from Carnot Bay to the Northern Territory Border.

(3) (a) An officer shall be paid a district allowance at the standard rate prescribed in Column II of Schedule B. - District Allowance of this Award, for the district in which the officer's headquarters is located. Provided that where the officer's headquarters is situated in a town or place specified in Column III of Schedule B.- District Allowance of this Award, the officer shall be paid a district allowance at the rate appropriate to that town or place as prescribed in Column IV of the said schedule.

(b) An officer who has a dependant shall be paid double the district allowance prescribed by paragraph (3)(a) of this clause for the district, town, or place in which the officer's headquarters is located.

(c) Where an officer has a partial dependant the total district allowance payable to the officer shall be the district allowance prescribed by paragraph (3)(a) of this clause plus an allowance equivalent to the difference between the rate of district or location allowance the partial

dependant receives and the rate of district or location allowance the partial dependant would receive if he or she was employed in a full time capacity under the Award, Agreement or other provision regulating the employment of the partial dependant.

(d) When an officer is on approved annual recreational leave, the officer shall for the period of such leave, be paid the district allowance to which he or she would ordinarily be entitled.

(e) When an officer is on long service leave or other approved leave with pay (other than annual recreational leave), the officer shall only be paid district allowance for the period of such leave if the officer, dependant/s or partial dependant/s remain in the district in which the officer's headquarters are situated.

(f) When an officer leaves his or her district on duty, payment of any district allowance to which the officer would ordinarily be entitled shall cease after the expiration of two weeks unless the officer's dependant/s or partial dependant/s remain in the district or as otherwise approved by the Employer.

(g) Except as provided in paragraph (3)(f) of this clause, a district allowance shall be paid to any officer ordinarily entitled thereto in addition to reimbursement of any travelling, transfer or relieving expenses.

(h) Where an officer whose headquarters is located in a district in respect of which no allowance is prescribed in Schedule B. - District Allowance of this Award, is required to travel or temporarily reside for any period in excess of one month in any district or districts in respect of which such allowance is so payable, then notwithstanding the officer's entitlement to any such allowance provided by Clause 40. - Relieving Allowance, and Clause 43. -Travelling Allowance of this Award the officer shall be paid for the whole of such a period a district allowance at the appropriate rate prescribed by paragraphs (3)(a), (3)(b) or (3)(c) of this clause, for the district in which the officer spends the greater period of time.

(i) When an officer is provided with free board and lodging by the Employer or a public authority the allowance shall be reduced to two-thirds of the allowance the officer would ordinarily be entitled to under this clause.

(4) Part Time Officers

An officer who is employed on a part time basis shall be paid a proportion of the appropriate district allowance payable in accordance with the following formula:

$$\frac{\text{Hours worked per fortnight}}{76} \times \frac{\text{Appropriate District Allowance}}{1}$$

(5) Adjustment of Rates

The rates expressed in Schedule B. - District Allowance of this Award shall be adjusted every twelve (12) months, effective from the first pay period to commence on or after the first day of July in each year, in accordance with the official Consumer Price Index (CPI) for Perth, as published for the preceding 12 months at the end of the March quarter by the Australian Bureau of Statistics.

36. – DISTURBANCE ALLOWANCE

(1) Where an officer is transferred and incurs expenses in the areas referred to in subclause (2) of this clause as a result of that transfer then the officer shall be granted a disturbance allowance and shall be reimbursed by the Employer the actual expenditure incurred upon production of receipts or such other evidence as may be required.

(2) The disturbance allowance shall include:

(a) Costs incurred for telephone installation at the officer's new residence provided that the cost of telephone installation shall be reimbursed only where a telephone was installed at the officer's former residence including Employer accommodation.

(b) Costs incurred with the connection or reconnection of services to the officer's household including Employer accommodation for water, gas or electricity.

(c) Costs incurred with the redirection of mail to the officer's new residence for a period of no more than three months.

37. – MOTOR VEHICLE ALLOWANCE

(1) (a) "A year" means 12 months commencing on the 1st day of July and ending on the 30th day of June next following.

For the purposes of this clause the following expressions shall have the following meanings:

(b) "Metropolitan area" means that area within a radius of 50 kilometres from the Perth City Railway Station.

(c) "South West land division" means the South West land division as defined by to Section 6 Schedule 1 *Land Administration Act 1997* excluding the area contained within the metropolitan area.

(d) "Rest of the State" means that area south of 23.5 degrees south latitude, excluding the metropolitan area and the South West land division.

(e) "Term of Employment" means a requirement made known to the officer at the time of applying for the position by way of publication in the advertisement for the position, written advice to the officer contained in the offer for the position or oral communication at interview by an interviewing officer and such requirement is accepted by the officer either in writing or orally.

(f) "Qualifying Service" shall include all service in positions where there is a requirement as a term of employment to supply and maintain a motor vehicle for use on official business but shall exclude all absences, which effect entitlements as provided by this Award.

(2) Allowance for Officers required to supply and maintain a vehicle as a term of employment:

(a) An officer who is required to supply and maintain a motor vehicle for use when travelling on official business as a term of employment shall be reimbursed in accordance with the appropriate rates set out in Schedule C. - Motor Vehicle Allowance for journeys travelled on official business and approved by the Employer.

(b) An officer who is reimbursed under the provisions of paragraph (2)(a) will also be subject to the following conditions: -

(i) For the purposes of subclause (2) an officer shall be reimbursed with the appropriate rates set out in Schedule C. - Motor Vehicle Allowance for the distance travelled from the officer's residence to the place of duty and for the return distance travelled from place of duty to residence except on a day where the officer travels direct from residence to headquarters and return and is not required to use the vehicle on official business during the day.

(ii) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate applicable to each of the areas traversed as set out in Schedule C. - Motor Vehicle Allowance

(iii) Where an officer does not travel in excess of 4,000 kilometres in a year an allowance calculated by multiplying the appropriate rate per kilometre by the difference between the actual distance travelled and 4,000 kilometres shall be paid to the officer provided that where the officer has less than 12 months qualifying service in the year then the 4,000 kilometre distance will be reduced on a pro rata basis and the allowance calculated accordingly.

(iv) Where a part-time officer is eligible for the payment of an allowance under subparagraph (iii) of this subclause such allowance shall be calculated on the proportion of total hours worked in that year by the officer to the annual standard hours had the officer been employed on a full time basis for the year.

(v) An officer who is required to supply and maintain a motor vehicle for use on official business is excused from this obligation in the event of his/her vehicle being stolen, consumed by fire, or suffering a major and unforeseen mechanical breakdown or accident, in which case all entitlement to reimbursement ceases while the officer is unable to provide the motor vehicle or a replacement.

(vi) The Employer may elect to waive the requirement that an officer supply and maintain a motor vehicle for use on official business, but three months written notice of the intention so to do shall be given to the officer concerned.

(3) Allowance for officers relieving officers subject to subclause (2) of this clause

(a) An officer not required to supply and maintain a motor vehicle as a term of employment who is required to relieve an officer required to supply and maintain a motor vehicle as a term of employment shall be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule C. - Motor Vehicle Allowance for all journeys travelled on official business and approved by the Employer where the officer is required to use his/her vehicle on official business whilst carrying out the relief duties.

(b) For the purposes of paragraph (3)(a) of this clause an officer shall be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule C. - Motor Vehicle Allowance for the distance travelled from the officer's residence to place of duty and the return distance travelled from place of duty to residence except on a day where the officer travels direct from residence to headquarters and return and is not required to use the vehicle on official business during the day.

(c) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate applicable to each of the areas traversed as set out in Schedule C. - Motor Vehicle Allowance.

(d) For the purpose of this subclause the allowance provided in subparagraphs (2)(b)(iii) and (iv) of this clause shall not apply.

(4) Allowance for other officers using vehicle on official business.

(a) An officer who is not required to supply and maintain a motor vehicle for use when travelling on official business as a term of employment, but when requested by the Employer voluntarily consents to use the vehicle shall for journeys travelled on official business approved by the Employer be reimbursed all expenses incurred in accordance with the appropriate rates set out in Schedule D - Motor Vehicle Allowance and Schedule E. - Motor Cycle Allowance.

(b) For the purpose of paragraph (4)(a) of this clause an officer shall not be entitled to reimbursement for any expenses incurred in respect to the distance between the officer's residence and headquarters and the return distance from headquarters to residence.

(c) Where an officer in the course of a journey travels through two or more separate areas, reimbursement shall be made at the appropriate rate if applicable to each of the areas traversed as set out in Schedule D. - Motor Vehicle Allowance.

(5) Allowance for towing an Employer’s caravan or trailer.

In case where officers are required to tow an Employer’s caravans on official business, the additional rate shall be 7.0 cents per kilometre. When an Employer’s trailers are towed on official business the additional rate shall be 4.0 cents per kilometre.

(6) Special Conditions.

Notwithstanding the provisions of Clause 5. - Term of Award of this Award where the cost of vehicles and petrol increase or decrease such that a corresponding increase or decrease in the allowance provided for a vehicle over 1600cc in the metropolitan area would amount to 0.1 of a cent or greater then the parties agree that the allowance shall be increased or decreased accordingly.

(7) (a) When an officer begins or ceases a shift between the hours of 11.00 pm and 7.00 am and no public transport is available, reimbursement at the appropriate rate of hire prescribed by subclause (4) of this clause, shall be made if the officer's private motor vehicle or cycle is used for the journey between the officer's residence and headquarters and the return journey.

(b) Provided however, that any officer who, on or after October 30, 1987, elects to be permanently retained on a fixed or non rotating shift that begins or ceases between or on the hours of 11.00 pm and 7.00 am shall not be eligible to claim this reimbursement.

(c) The provisions of this subclause shall only be applied to officers living and working within a radius of 50km of the Perth City Railway Station.

38. – PROPERTY ALLOWANCE

(1) For the purposes of this clause the following expressions shall have the following meanings:

(a) "Agent" means a person carrying on business as an estate agent in a State or Territory of the Commonwealth, being, in a case where the law of that State or Territory provides for the registration or licensing of persons who carry on such a business, a person duly registered or licensed under that law.

(b) "Dependant" in relation to an officer means:

(i) spouse including de facto partner;

(ii) child/children; or

(iii) other dependant family;

who resides with the officer and who relies on the officer for support.

(c) "Expenses" in relation to an officer means all costs incurred by the officer in the following areas:

(i) Legal fees in accordance with the Solicitor's Remuneration Order, 1976 as amended and varied, duly paid to a solicitor or in lieu thereof fees charged by a settlement agent for professional costs incurred in respect of the sale or purchase, the maximum fee to be claimed shall be as set out under item 8 of the above order.

(ii) Disbursements duly paid to a solicitor or a settlement agent necessarily incurred in respect of the sale or purchase of the residence.

(iii) Real Estate Agent's Commission in accordance with that fixed by the Real Estate and Business Agents Supervisory Board, acting under Section 61 of the *Real Estate and Business Agents Act, 1978*, duly paid to an agent for services rendered in the course

of and incidental to the sale of the property, the maximum fee to be claimed shall be fifty percent (50%) as set out under Items 1 or 2 - Sales by Private Treaty or Items 1 or 2 - Sales by Auction of the Maximum Remuneration Notice.

(iv) Stamp Duty.

(v) Fees paid to the Registrar of Titles or to the officer performing duties of a like nature and for the same purpose in another State or Territory of the Commonwealth.

(vi) Expenses relating to the execution or discharge of a first mortgage.

(vii) The amount of expenses reasonably incurred by the officer in advertising the residence for sale.

(d) "Locality" in relation to an officer means:

(i) Within the metropolitan area, that area within a radius of fifty (50) kilometres from the Perth City Railway Station, and

(ii) Outside the metropolitan area, that area within a radius of fifty (50) kilometres from an officer's headquarters when they are situated outside of the metropolitan area.

(e) "Property" shall mean a residence as defined in this clause including a block of land purchased for the purpose of erecting a residence thereon to the extent that it represents a normal urban block of land for the particular locality.

(f) "Residence" includes any accommodation of a kind commonly known as a flat or a home unit that is, or is intended to be, a separate tenement including dwelling house, and the surrounding land, exclusive of any other commercial property, as would represent a normal urban block of land for the particular locality.

(g) "Settlement Agent" means a person carrying on business as settlement agent in a State or Territory of the Commonwealth, being, in a case where the law of that State or Territory provides for the registration or licensing of persons who carry on such a business, a person duly registered or licensed under the law.

(2) When an officer is transferred from one locality to another in the public interest or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, the officer shall be entitled to be paid a property allowance for reimbursement of expenses incurred by the officer -

(a) In the sale of residence in the officer's former locality, which, at the date on which the officer received notice of transfer to a new locality: -

(i) the officer owned and occupied; or

(ii) the officer was purchasing under a contract of sale providing for vacant possession; or

(iii) the officer was constructing for the officer's own permanent occupation, on completion of construction; and

(b) In the purchase of a residence or land for the purpose of erecting a residence thereon for the officer's own permanent occupation in the new locality.

(3) An officer shall be reimbursed such following expenses as are incurred in relation to the sale of a residence:

(a) if the officer engaged an agent to sell the residence on the officer's behalf - 50 percent of the amount of the commission paid to the agent in respect of the sale of the residence;

(b) if a solicitor was engaged to act for the officer in connection with the sale of the residence - the amount of the professional costs and disbursements necessarily incurred and paid to the solicitor in respect of the sale of the residence;

(c) if the land on which the residence is created was subject to a first mortgage and that mortgage was discharged on the sale, then an officer shall, if, in a case where a solicitor acted for the mortgagee in respect of the discharge of the mortgage and the officer is required to pay the amount of professional costs and disbursements necessarily incurred by the mortgagee in respect of the discharge of the mortgage - the amount so paid by the officer;

(d) if the officer did not engage an agent to sell the residence on his or her behalf - the amount of the expenses reasonably incurred by the officer in advertising the residence for sale.

(4) An officer shall be reimbursed such following expenses as are incurred in relation to the purchase of a residence:

(a) if a solicitor or settlement agent was engaged to act for the officer in connection with the purchase of the residence - the amount of the professional costs and disbursements necessarily incurred are paid to the solicitor or settlement agent in respect of the purchase of the residence;

(b) if the officer mortgaged the land on which the residence was erected in conjunction with the purchase of the residence, then an officer shall, if, in a case where a solicitor acted for the mortgagee and the officer is required to pay and has paid the amount of the professional costs and disbursements (including valuation fees but not a procuration fee payable in connection with the mortgage) necessarily incurred by the mortgagee in respect of the mortgage - the amount so paid by the officer;

(c) if the officer did not engage a solicitor or settlement agent to act for the officer in connection with the purchase or such a mortgage - the amount of the expenses reasonably incurred by the officer in connection with the purchase or the mortgage, as the case may be, other than a procuration fee paid by the officer in connection with the mortgage.

(5) An officer is not entitled to be paid a property allowance under paragraph (2)(b) of this clause unless the officer is entitled to be paid a property allowance under paragraph (2)(a) of this clause, provided that the Employer may approve the payment of a property allowance under paragraph (2)(b) of this clause to an officer who is not entitled to be paid a property allowance under paragraph (2)(a) of this clause if the Employer is satisfied that it was necessary for the officer to purchase a residence or land for the purpose of erecting a residence thereon in the officer's new locality because of the officer's transfer from the former locality.

(6) For the purpose of this Award it is immaterial that the ownership, sale or purchase is carried out on behalf of an officer who owns solely, jointly or in common with:

(a) the officer's spouse, or

(b) a dependant relative, or

(c) the officer's spouse and a dependant relative.

(7) Where an officer sells or purchases a residence jointly or in common with another person - not being a person referred to in subclause (6) of this clause the officer shall be paid only the proportion of the expenses for which the officer is responsible.

(8) An application by an officer for a property allowance shall be accompanied by evidence of the payment by the officer of the expenses, being evidence that is satisfactory to the Employer.

(9) Notwithstanding the foregoing provisions, an officer is not entitled to the payment of a property allowance -

(a) In respect of a sale or purchase prescribed in subclause (2) of this clause which is effected -

(i) more than twelve months after the date on which the officer took up duty in the new locality; or

(ii) after the date on which the office received notification of being transferred back to the former locality.

Provided that the Employer may, in exceptional circumstances, grant an extension of time for such period as is deemed reasonable.

(b) Where the officer is transferred from one locality to another solely at the officer's own request or on account of misconduct.

39. – PROTECTIVE CLOTHING ALLOWANCE

(a) Provided with the requisite protective clothing, with the laundering costs for such protective clothing being at the expense of the Employer; or

An officer engaged on work, which requires the provision of protective clothing, shall be:

(b) Provided with an annual allowance, as agreed between the Association and the Employer, which shall incorporate the cost of purchase and laundry of the requisite protective clothing.

Provided that nothing contained in this clause shall affect the obligations of the Employer to provide clothing pursuant to the *Occupational Health and Safety Act, 1984.*

40. – RELIEVING ALLOWANCE

(1) Where the officer:

An officer who is required to take up duty away from headquarters on relief duty or to perform special duty, and necessarily resides temporarily away from the officer's usual place of residence shall be reimbursed reasonable expenses on the following basis:

is supplied with accommodation and meals free of charge, or

is accommodated at a government institution, hostel or similar establishment and supplied with meals,

reimbursement shall be in accordance with the rates prescribed in Column A, Items (1), (2) or (3) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(2) Where officers are fully responsible for their own accommodation, meals and incidental expenses and hotel or motel accommodation is utilised:

(a) For the first forty-two (42) days after arrival at the new locality reimbursement shall be in accordance with the rates prescribed in Column A, Items (4) to (8) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(b) For periods in excess of forty-two (42) days after arrival in the new locality reimbursement shall be in accordance with the rates prescribed in Column B, Items (4) to (8) of Schedule F. - Travelling, Transfer and Relieving Allowance for officers with dependants or Column C, Items (4) to (8) of Schedule F. - Travelling, Transfer and Relieving Allowance for other officers: Provided that the period of reimbursement under this subclause shall not exceed forty-nine (49) days without the approval of the Employer.

(3) Where officers are fully responsible for their own accommodation, meal and incidental expenses and other than hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (9), (10) or (11) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(4) If an officer whose normal duties do not involve camp accommodation is required to relieve or perform special duty resulting in a stay at a camp, the officer shall be paid camping allowance for the duration of the period spent in camp, and in addition, shall be paid a lump sum of $163.00 to cover incidental personal expenses: Provided that an officer shall receive no more than one lump sum of $163.00 in any one period of three (3) years.

(5) Reimbursement of expenses shall not be suspended should an officer become ill whilst on relief duty, provided leave for the period of such illness is approved in accordance with the provisions of this Award and the officer continues to incur accommodation, meal and incidental expenses.

(6) When an officer who is required to relieve or perform special duties in accordance with the preamble of this clause is authorised by the Employer to travel to the new locality in the officer's own motor vehicle, reimbursement for the return journey shall be as follows:

(a) Where the officer will be required to maintain a motor vehicle for the performance of the relieving or special duties, reimbursement shall be in accordance with the appropriate rate prescribed by subclause (2) of Clause 37. - Motor Vehicle Allowance of this Award.

(b) Where the officer will not be required to maintain a motor vehicle for the performance of the relieving or special duties reimbursement shall be on the basis of one half (½) of the appropriate rate prescribed by subclause (2) of Clause 37. - Motor Vehicle Allowance of this Award. Provided that the maximum amount of reimbursement shall not exceed the cost of the fare by public conveyance which otherwise would be utilised for such return journey.

(7) Where it can be shown by the production of receipts or other evidence that an allowance payable under this clause would be insufficient to meet reasonable additional costs incurred, an appropriate rate of reimbursement shall be determined by the Employer.

(8) The provisions of Clause 43. - Travelling Allowance shall not operate concurrently with the provisions of this clause to permit an officer to be paid allowances in respect of both travelling and relieving expenses for the same period: Provided that where an officer is required to travel on official business which involves an overnight stay away from the officer's temporary headquarters the Employer may extend the periods specified in subclause (2) of this clause by the time spent in travelling.

(9) An officer who is directed to relieve another officer or to perform special duty away from the officer's usual headquarters and is not required to reside temporarily away from his or her usual place of residence shall, if the officer is not in receipt of a higher duties or special allowance for such work, be reimbursed the amount of additional fares paid by the officer travelling by public transport to and from the place of temporary duty.

41. – REMOVAL ALLOWANCE

(1) When an officer is transferred in the public interest, or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, the officer shall be reimbursed:

(a) The actual reasonable cost of conveyance of the officer and dependants.

(b) The actual cost (including insurance) of the conveyance of an officer's household furniture effects and appliances up to a maximum volume of 35 cubic metres, provided that a larger volume may be approved by the Employer in special cases.

(c) An allowance of $534.00 for accelerated depreciation and extra wear and tear on furniture, effects and appliances for each occasion that an officer is required to transport his or her

furniture, effects and appliances provided that the Employer is satisfied that the value of household furniture, effects and appliances moved by the officer is at least $3,199.00.

(d) Reimbursement of reasonable expenses in kennelling and transporting of domestic pet or pets up to a maximum amount of $169.00.

Pets are defined as dogs, cats, birds or other domestic animals kept by the officer or the officer's dependants for the purpose of household enjoyment.

Pets do not include domesticated livestock, native animals or equine animals.

(2) An officer who is transferred solely at his or her own request or on account of misconduct must bear the whole cost of removal unless otherwise determined by the Employer prior to removal.

(3) An officer shall be reimbursed the full freight charges necessarily incurred in respect of the removal of the officer's motor vehicle. If authorised by the Employer to travel to a new locality in the officer's own motor vehicle, reimbursement shall be as follows:

(a) Where the officer will be required to maintain a motor vehicle for use on official business at the new headquarters, reimbursement for the distance necessarily travelled shall be on the basis of the appropriate rate prescribed by subclause (2) of Clause 37. - Motor Vehicle Allowance of this Award.

(b) Where the officer will not be required to maintain a motor vehicle for use on official business at the new headquarters reimbursement for the distance necessarily travelled shall be on the basis of one half (½) of the appropriate rate prescribed by subclause (3) of Clause 37. - Motor Vehicle Allowance of this Award.

(4) The officer shall, before removal is undertaken obtain quotes from at least two carriers which shall be submitted to the Employer, who may authorise the acceptance of the more suitable: Provided that payment for a volume amount beyond 35 cubic metres by an Employer is not to occur without the prior written approval of the Employer.

(5) The Employer may, in lieu of conveyance, authorise payment to compensate for any loss in any case where an officer, with prior approval of the Employer, disposes of his or her household furniture effects and appliances instead of removing them to the new headquarters: Provided that such payments shall not exceed the sum which would have been paid if the officer's household furniture effects and appliances had been removed by the cheapest method of transport available and the volume was 35 cubic metres.

(6) Where an officer is transferred to government owned or private rental accommodation, where furniture is provided, and as a consequence the officer is obliged to store furniture, the officer shall be reimbursed the actual cost of such storage up to a maximum allowance of $992.00 per annum. Actual cost is deemed to include the premium for adequate insurance coverage for the value of the furniture stored. An allowance under this subclause shall not be paid for a period in excess of four years without the approval of the Employer.

(7) Receipts must be produced for all sums claimed.

(8) New appointees shall be entitled to receive the benefits of this clause if they are required by the Employer to participate in any training course prior to being posted to their respective positions in the service. This entitlement shall only be available to officers who have completed their training and who incur costs when moving to their first posting.

42. - TRANSFER ALLOWANCE

(1) Subject to subclauses (2) and (5) of this clause an officer who is transferred to a new locality in the public interest, or in the ordinary course of promotion or transfer, or on account of illness due to causes over which the officer has no control, shall be paid at the rates prescribed in Column A, Item (4), (5) or

(6) of Schedule F. - Travelling, Transfer and Relieving Allowance for a period of 14 days after arrival at new headquarters within Western Australia or Column A, Items (7) and (8) of Schedule F. - Travelling, Transfer and Relieving Allowance for a period of 21 days after arrival at a new headquarters in another State of Australia: Provided that if an officer is required to travel on official business during the said periods, such period will be extended by the time spent in travelling. Under no circumstances, however, shall the provisions of this subclause operate concurrently with those of Clause 43. - Travelling Allowance of this award to permit an officer to be paid allowances in respect of both travelling and transfer expenses for the same period.

(2) Prior to the payment of an allowance specified in subclause (1) of this clause, the Employer shall:

(a) Require the officer to certify that permanent accommodation has not been arranged or is not available from the date of transfer. In the event that permanent accommodation is to be immediately available, no allowance is payable; and

(b) Require the officer to advise the Employer that should permanent accommodation be arranged or become available within the prescribed allowance periods, the officer shall refund the pro rata amount of the allowance for that period the occupancy in permanent accommodation takes place prior to the completion of the prescribed allowance periods.

Provided also that should an occupancy date which falls within the specified allowance periods be notified to the Employer prior to the officer's transfer, the payment of a pro rata amount of the allowance should be made in lieu of the full amount.

(3) If an officer is unable to obtain reasonable accommodation for the transfer of his or her home within the prescribed period referred to in subclause (1) of this clause and the Employer is satisfied that the officer has taken all possible steps to secure reasonable accommodation, such officer shall, after the expiration of the prescribed period to be paid in accordance with the rates prescribed by Column B, Items (4), (5), (6), (7) or (8) of Schedule F. - Travelling, Transfer and Relieving Allowance as the case may require, until such time as the officer has secured reasonable accommodation: Provided that the period of reimbursement under this subclause shall not exceed 77 days without the approval of the Employer.

(4) When it can be shown by the production of receipts or other evidence that an allowance payable under this clause would be insufficient to meet reasonable additional costs incurred by an officer on transfer, an appropriate rate of reimbursement shall be determined by the Employer.

(5) An officer who is transferred to Employer accommodation shall not be entitled to reimbursement under this clause: Provided that:

(a) where entry into Employer accommodation is delayed through circumstances beyond the officer's control an officer may, subject to the production of receipts, be reimbursed actual reasonable accommodation and meal expenses for the officer and dependants less a deduction for normal living expenses prescribed in Column A, Items (15) and (16) of Schedule F. - Travelling, Transfer and Relieving Allowance.

and provided that -

(b) if any costs are incurred under subclause (2) of Clause 36. - Disturbance Allowance of this Award they shall be reimbursed by the Employer.

43. - TRAVELLING ALLOWANCE

(1) When a trip necessitates an overnight stay away from headquarters and the officer:

An officer who travels on official business shall be reimbursed reasonable expenses on the following basis:

(a) is supplied with accommodation and meals free of charge; or

(b) attends a course, conference, etc., where the fee paid includes accommodation and meals; or

(c) travels by rail and is provided with a sleeping berth and meals; or

(d) is accommodated at a Government institution, hostel or similar establishment and supplied with meals;

(e) reimbursement shall be in accordance with the rates prescribed in Column A, Items (1), (2) or (3) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(2) When a trip necessitates an overnight stay away from headquarters and the officer is fully responsible for his or her own accommodation, meals and incidental expenses:

(a) where hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (4) to (8) of Schedule F. - Travelling, Transfer and Relieving Allowance; and

(b) where other than hotel or motel accommodation is utilised reimbursement shall be in accordance with the rates prescribed in Column A, Items (9), (10) or (11) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(3) When a trip necessitates an overnight stay away from headquarters and accommodation only is provided at no charge to the officer, reimbursement shall be made in accordance with the rates prescribed in Column A, Items 1, 2 or 3 and Items 12, 13 or 14 of Schedule F. - Travelling, Transfer and Relieving Allowance subject to the officers' certification that each meal claimed was actually purchased.

(4) To calculate reimbursement under subclauses (1) and (2) of this clause for a part of a day, the following formula shall apply:

(a) If departure from headquarters is:

before 8.00 am - 100% of the daily rate.

8.00 am or later but prior to 1.00 pm - 90% of the daily rate.

1.00 pm or later but prior to 6.00 pm - 75% of the daily rate.

6.00 pm or later - 50% of the daily rate.

(b) If arrival back at headquarters is:

8.00 am or later but prior to 1.00 pm - 10% of the daily rate.

1.00 pm or later but prior to 6.00 pm - 25% of the daily rate.

6.00 pm or later but prior to 11.00 pm - 50% of the daily rate.

11.00 pm or later - 100% of the daily rate.

(5) When an officer travels to a place outside a radius of fifty (50) kilometres measured from the officer's headquarters, and the trip does not involve an overnight stay away from headquarters, reimbursement for all meals claimed shall be at the rates set out in Column A, Items (12) or (13) of Schedule F. - Travelling, Transfer and Relieving Allowance subject to the officer's certification that each meal claimed was actually purchased: Provided that when an officer departs from headquarters before 8.00 am and does not arrive back at headquarters until after 11.00 pm on the same day the officer shall be paid at the appropriate rate prescribed in Column A, Items (4) to (8) of Schedule F. - Travelling, Transfer and Relieving Allowance.

(6) When it can be shown to the satisfaction of the Employer by the production of receipts that reimbursement in accordance with Schedule F. - Travelling, Transfer and Relieving Allowance does not cover an officer's reasonable expenses for a whole trip the officer shall be reimbursed the excess expenditure.

(7) In addition to the rates contained in Schedule F. - Travelling, Transfer and Relieving Allowance an officer shall be reimbursed reasonable incidental expenses such as train, bus and taxi fares, official telephone calls, laundry and dry cleaning expenses, on production of receipts.

(8) If on account of lack of suitable transport facilities an officer necessarily engages reasonable accommodation for the night prior to commencing travelling on early morning transport the officer shall be reimbursed the actual cost of such accommodation.

(9) Reimbursement of expenses shall not be suspended should an officer become ill whilst travelling, provided leave for the period of such illness is approved in accordance with provisions of Clause 20. - Sick Leave of this Award, and the officer continues to incur accommodation, meal and incidental expenses.

(10) Reimbursement claims for travelling in excess of 14 days in one month shall not be passed for payment by a certifying officer unless the Employer has endorsed the account.

(11) An officer who is relieving at or temporarily transferred to any place within a radius of fifty (50) kilometres measured from the officer's headquarters shall not be reimbursed the cost of midday meals purchased, but an officer travelling on duty within that area which requires absence from the officer's headquarters over the usual midday meal period shall be paid at the rate prescribed by Item 17 of Schedule F. - Travelling, Transfer and Relieving Allowance for each meal necessarily purchased, provided that:

(a) such travelling is not a normal feature in the performance of the officer's duties; and

(b) such travelling is not within the suburb in which the officer resides; and

(c) the officer's total reimbursement under this subclause for any one pay period shall not exceed the amount prescribed by Item (18) of Schedule F. - Travelling, Transfer and Relieving Allowance.

44. – WEEKEND ABSENCE FROM RESIDENCE

(1) An officer who is temporarily absent from his or her normal headquarters on relieving duty or travelling on official business outside a radius of three hundred and twenty (320) kilometres measured from the normal headquarters and is necessarily absent from his or her residence and separated from dependants, shall be granted an additional day's leave for every group of three (3) consecutive weekends so absent, provided that each weekend shall be counted as a member of only one group. Provided that:

(a) the relief duty or travelling on official business is within Australia and the officer is not directed to work on the weekend by the Employer;

(b) an additional day's leave shall not be allowed if the Employer has approved the officer's dependants accompanying the officer during the period of relief or travelling;

(c) additional leave under this subclause shall be commenced within one (1) month of the period of relief duty or travelling being completed unless the Employer approves otherwise;

(d) the annual leave loading provided by Clause 17. - Annual Leave of this Award shall not apply to any leave entitlements under this clause.

(2) Officers who are temporarily absent from their normal headquarters on relieving duty or travelling on official business outside a radius of three hundred and twenty (320) and up to four hundred (400)

kilometres measured from the normal headquarters, may elect to have the benefit of concessions provided by subclause (3) of this clause in lieu of those provided by subclause (1) of this clause. Kalgoorlie, Albany and Geraldton shall be regarded as being within a radius of four hundred (400) kilometres for the purpose of this subclause in the case of an officer resident in the Metropolitan Area.

(3) Officers who are temporarily absent from their normal headquarters on relieving duty or travelling on official business within a radius of three hundred and twenty (320) kilometres measured from the officer's headquarters, and such relief duty or travel would normally necessitate the officer being absent from his or her residence for a weekend, shall be allowed to return to such residence for the weekend. Provided that:

(a) An officer who is directed to work on a weekend by the Employer shall not be entitled to the concessions.

(b) All travelling to and from the officer's residence shall be undertaken outside of the hours of duty prescribed by Clause 15. - Hours.

(c) An officer who has obtained the approval of the Employer for dependants to accompany the officer during the period of relief or travelling shall not be entitled to the concessions provided by this subclause.

(d) When an officer is authorised by the Employer to use his or her own motor vehicle to travel to the locality where the relief duty is being performed or when travelling on official business the officer shall be reimbursed on the basis of one half (½) of the appropriate rate prescribed by subclause (3) of Clause 37. - Motor Vehicle Allowance of this Award for the journey to the officer's residence for the weekend and the return to the place of relief duty: Provided that the maximum amount of reimbursement shall not exceed the cost of the rail or bus fare by public conveyance which otherwise would be utilised for such journey and payment shall be made only to the owner of such vehicle.

(e) When an officer has been authorised by the Employer to use a government motor vehicle in connection with the relief duty or travelling on official business, the officer shall be allowed to use that vehicle for the purpose of returning to his or her residence for the weekend.

(f) An officer who does not use his or her own vehicle or a government motor vehicle as provided by paragraphs (d) and (e) of this subclause, shall be reimbursed the cost of the fare by public conveyance by road or rail for the journey to and from the officer's residence for the weekend.

(g) An officer who does not make use of the provision of this subclause shall be paid travelling allowance or relieving allowance as the case may require in accordance with the provisions of Clause 40. - Relieving Allowance or Clause 43. - Travelling Allowance of this Award.

(h) Officers who return to their residence for the weekend in accordance with the provisions of this subclause shall not be entitled to the reimbursement of any expenses allowed by Clause 40. - Relieving Allowance and Clause 43. - Travelling Allowance of this Award during the period from the time when the officer returns to his or her residence to the time of departing from such residence to travel to resume duty at the place away from the residence.

45. – KEEPING OF AND ACCESS TO EMPLOYMENT RECORDS

(1) Employers must ensure that the keeping of employment records and access to employment records of officers is in accordance with *Industrial Relations Act 1979 Part 11 Division 2F Keeping of and access to employment records.*

(2) If the Employer maintains a personal or other file on an employee subject to the Employer’s convenience, the employee shall be entitled to examine all material maintained on that file.

46. – NOTIFICATION OF CHANGE

(1) (a) Where an Employer has made a definite decision to introduce major changes in production, programme, organisation, structure or technology that are likely to have significant effects on officers, the Employer shall notify the officers who may be affected by the proposed changes and the Association.

(b) For the purpose of this clause "significant effects" include termination of employment; major changes in the composition, operation or size of the Employer's workforce or in the skills required; elimination or diminution of job opportunities, promotion opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of officers to other work or locations and restructuring of jobs.

Provided that where this Award or any other Award or Agreement makes provision for alteration of any of the matters referred to in this clause an alteration shall be deemed not to have significant effect.

(2) (a) The Employer shall discuss with the officers affected and the Association, inter alia, the introduction of the changes referred to in subclause (1) of this clause, the effects the changes are likely to have on officers, measures to avert or mitigate the adverse effects of such changes on officers and shall give prompt consideration to matters raised by the officers and/or the Association in relation to the changes.

(b) The discussion shall commence as early as practicable after a firm decision has been made by the Employer to make the changes referred to in subclause (1) of this clause, unless by prior arrangement, the Association is represented on the body formulating recommendations for change to be considered by the Employer.

(c) For the purposes of such discussion an Employer shall provide to the officers concerned and the Association all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on officers and any other matters likely to affect officers. Provided that any Employer shall not be required to disclose confidential information, the disclosure of which would be inimical to the Employer's interests.

47. – RIGHT OF ENTRY AND INSPECTION BY AUTHORISED REPRESENTATIVES

(1) The parties shall act consistently with the terms of the Division 2 G – Right of Entry and Inspection by Authorised Representatives – of the Industrial Relations Act, 1979.

(2) An authorised representative shall on notification to the Employer have the right to enter any premises where relevant officers covered by this Award work during working hours, including meal breaks, for the purpose of holding discussions at the premises with relevant officers covered by the Award who wish to participate in those discussions, the legitimate business of the Association or for the purpose of investigating complaints concerning the application of this Award, but shall in no way unduly interfere with the work of officers.

48. – COPIES OF AWARD

Every officer shall be entitled to have access to a copy of this Award. Sufficient copies shall be made available, either hard copy or by modern electronic means by the Employer for this purpose. Where a hard copy is requested it shall be made available.

49. - PARTIES TO THE AWARD

Hon Minister for Family and Children’s Services

Attorney General

50. - EXPIRED GENERAL AGREEMENT SALARIES

(1) No-Disadvantage Test

(a) Expired General Agreement salary rates as amended from time to time are incorporated in the Award at Schedule H. These rates are not to be subject to arbitrated safety net adjustments and unless otherwise specified are only for the purpose of the no-disadvantage test as defined at s. 97VS of the *Industrial Relations Act 1979.*

(b) Notwithstanding the above, if the salary rates within the Award at Schedule A are higher than those expressed at Schedule H, the former rates shall be utilised for the purposes of the no-disadvantage test under the *Industrial Relations Act 1979*.

(2) Salary Based Allowances

All salary based allowances specified within this Award will be calculated on the applicable salary rate as specified at Schedule J of this Award or the applicable Award salary rate as specified at Schedule A of this Award, whichever is the higher."

51. – DISPUTE SETTLEMENT PROCEDURE

(1) Any questions, difficulties or disputes arising under this Award of officers bound by the Award shall be dealt with in accordance with this clause.

(2) The officer/s and the manager with whom the dispute has arisen shall discuss the matter and attempt to find a satisfactory solution, within three (3) working days.

(3) If the dispute cannot be resolved at this level, the matter shall be referred to and be discussed with the relevant manager's superior and an attempt made to find a satisfactory solution, within a further three (3) working days.

(4) If the dispute is still not resolved, it maybe referred by the officer/s or Association representative to the Employer or his/her nominee.

(5) Where the dispute cannot be resolved within five (5) working days of the Association representatives' referral of the dispute to the Employer or his/her nominee, either party may refer the matter to the Western Australian Industrial Relation Commission.

(6) The period for resolving a dispute may be extended by agreement between the parties.

(7) At all stages of the procedure the officer may be accompanied by an Association representative.

SCHEDULE A. - SALARIES

(1) Annual salaries applicable to officers covered by this Award:

Level 2 Group Workers	Salary Per Annum$	Arbitrated Safety Net Adjustments $	Total Salary Per Annum $
1 st Year	28306	10330	38636
2 nd Year	29009	10330	39339
3 rd Year	29748	10330	40078
4 th Year	30529	10330	40859
5 th Year	31346	10330	41676
Level 3 Unit Managers			
1 st Year	32469	10330	42799
2 nd Year	33344	10330	43674
3 rd Year	34246	10330	44576
4 th Year	35172	10225	45397
Level 4 Senior Officers			
1 st Year	36442	10225	46667
2 nd Year	37437	10121	47558
3 rd Year	38461	10121	48582

SCHEDULE B - DISTRICT ALLOWANCE

(a) Officers without dependants (paragraph 35(3)(a)):

COLUMN I DISTRICT NO	COLUMN II STANDARD RATE $ p.a.	COLUMN III EXCEPTIONS TO STANDARD RATE TOWN OR PLACE	COLUMN IV RATE $ p.a.
6	3,569	Nil	Nil
5	2,920	Fitzroy Crossing Halls Creek Turner River Camp Nullagine	3,933
		Liveringa (Camballin) Marble Bar Wittenoom	3,655
		Karratha	3,438

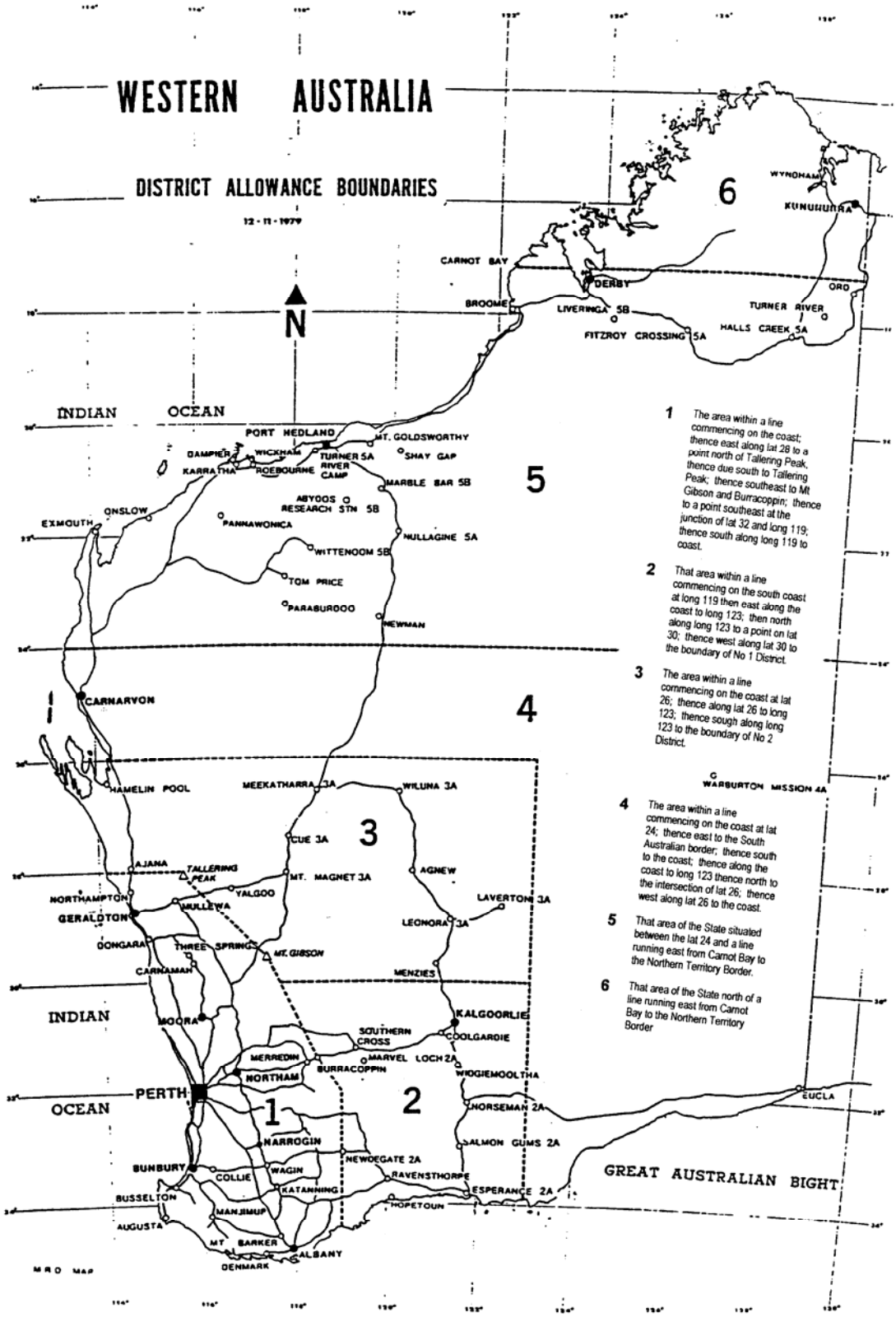
		Port Hedland	3,199
4	1,471	Warburton Mission	3,952
		Carnarvon	1,385
3	927	Meekatharra Mount Magnet Wiluna Laverton Leonora Cue	1,471
2	665	Kalgoorlie Boulder	222
		Ravensthorpe Norseman Salmon Gums Marvel Loch Esperance	878
1	Nil	Nil	Nil

(b) Officers With Dependants (paragraph 35(3)(b)):

Double the appropriate rate as prescribed in (a) above for officers without dependants.

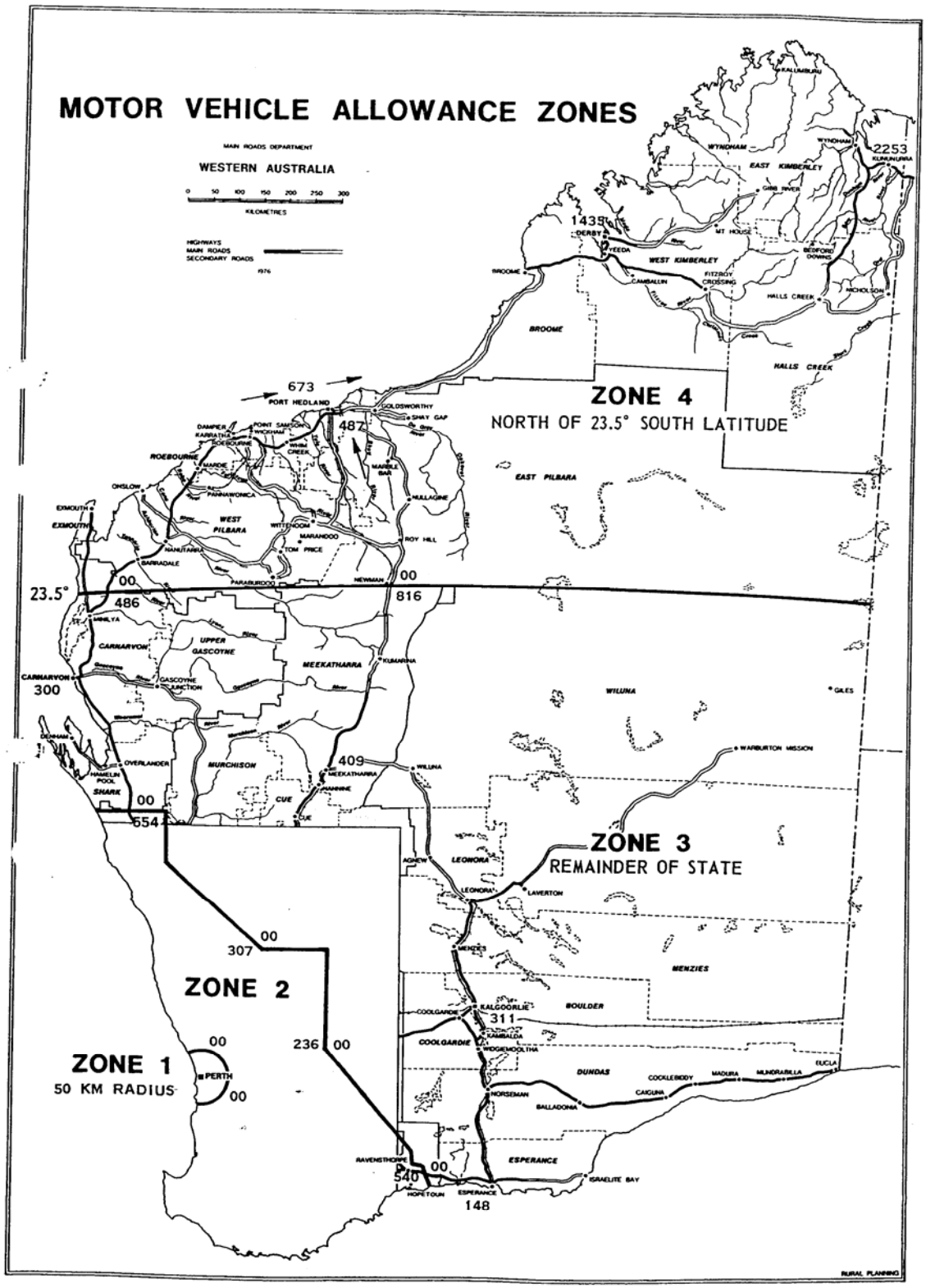
The allowances prescribed in this schedule shall operate from the beginning of the first pay period commencing on or after July 1, 2005.

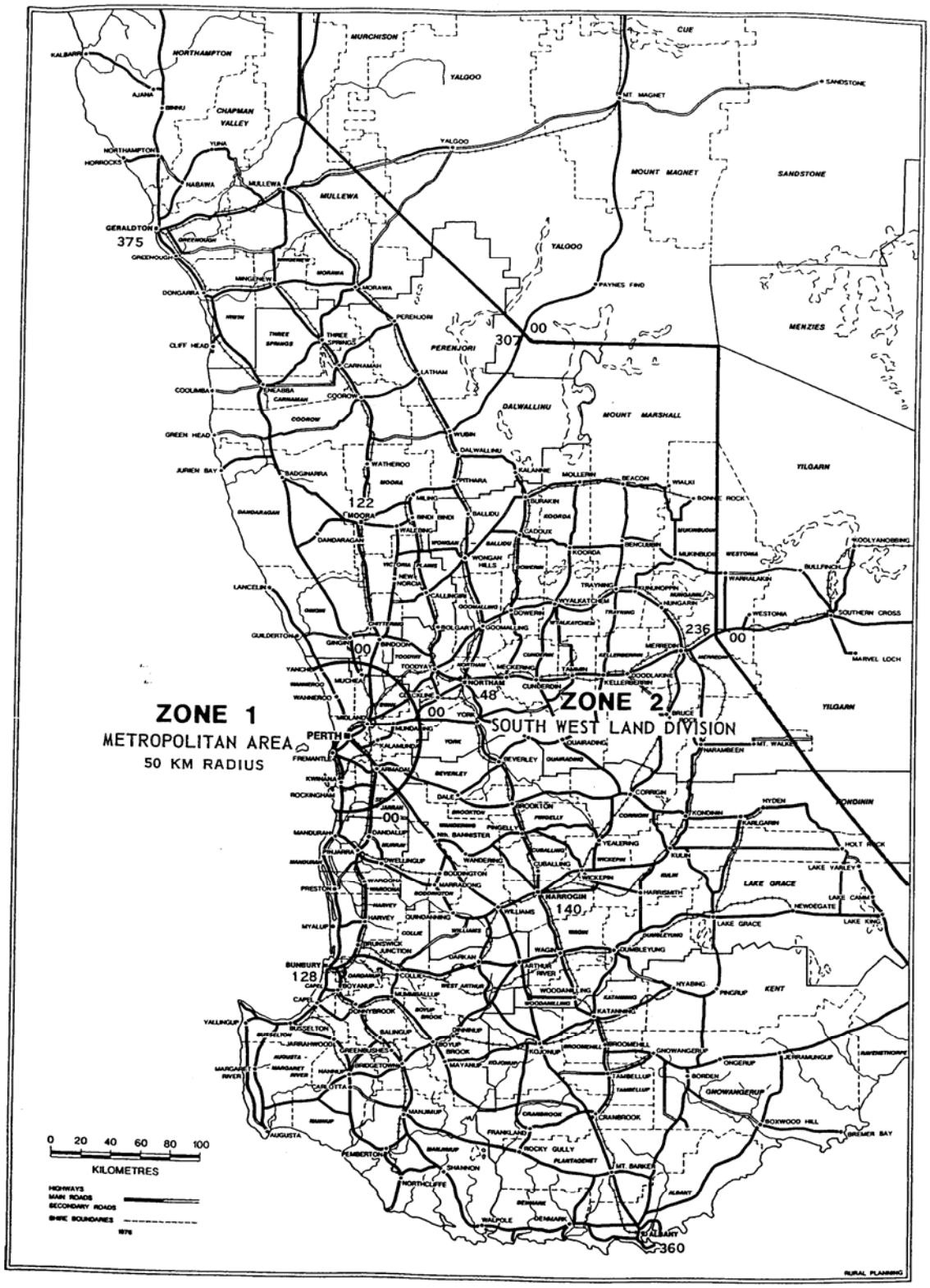
SCHEDULE B - DISTRICT ALLOWANCE MAP



SCHEDULE C - MOTOR VEHICLE ALLOWANCE

Area Details	Rate (cents) per kilometre		
	Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600ccto 2600cc	1600ccand under
Metropolitan Area			
First 4000 kilometres	149.7	126.6	102.2
Over 4000 up to 8000 kms	61.7	52.7	44.0
Over 8000 up to 16000 kms	32.4	28.1	24.6
Over 16000 kms	34.0	28.8	24.7
South West Land Division			
First 4000 kilometres	154.3	130.9	106.4
Over 4000 up to 8000 kms	64.0	54.8	46.0
Over 8000 up to 16000 kms	33.9	29.4	25.8
Over 16000 kms	35.2	29.7	25.5
North of 23.5o South Latitude			
First 4000 kilometres	170.9	145.4	118.9
Over 4000 up to 8000 kms	70.3	60.2	50.7
Over 8000 up to 16000 kms	36.7	31.9	28.0
Over 16000 kilometres	36.3	30.6	26.3
Rest of State			
First 4000 kilometres	159.2	134.8	109.2
Over 4000 up to 8000 kms	66.0	56.4	47.2
Over 8000 up to 16000 kms	34.9	30.2	26.5
Over 16000 kilometres	35.7	30.1	25.9


MOTOR VEHICLE ALLOWANCE ZONES
MAIN ROADS DEPARTMENT
WESTERN AUSTRALIA
KILOMETRES
HIGHWAYS
MAIN ROADS
SECONDARY ROADS
1976
ZONE 4
NORTH OF 23.5° SOUTH LATITUDE
ZONE 3
REMAINDER OF STATE
ZONE 2
ZONE 1
50 KM RADIUS
PERTH
23.5°
673
487
816
486
409
307
311
236
300
654
540
148
1435
2253
00
PORT HEDLAND
KARRATHA
ROEBOURNE
ONSLOW
EXMOUTH
CARNARVON
DENHAM
SHARK BAY
OVERLANDER
HAMELIN POOL
CUE
MEEKATHARRA
WILUNA
GASCOYNE JUNCTION
MARBLE BAR
NULLAGINE
ROY HILL
NEWMAN
TOM PRICE
MARANDOO
WITTENOOM
PARABURDOO
BARRADALE
NANUTARRA
PANNAWONICA
WEST PILBARA
EAST PILBARA
MURCHISON
MEEKATHARRA
UPPER GASCOYNE
CARNARVON
SHIRLEY
KUMARINA
LEONORA
LAVERTON
AGNEW
MENZIES
KALGOORLIE
BOULDER
COOLGARDIE
KAMBALDA
WIDGIEMOOLTHA
NORSEMAN
BALLADONIA
DUNDAS
COCKLEBIDDY
MADURA
MUNDRABILLA
EUCLA
CAIGUNA
ESPERANCE
RAVENSTHORPE
HOPETOUN
ISRAELITE BAY
BROOME
DERBY
WYNDHAM
KUNUNURRA
EAST KIMBERLEY
WEST KIMBERLEY
FITZROY CROSSING
CAMBALLIN
HALLS CREEK
NICHOLSON
BEDFORD DOWNS
MT HOUSE
GIBB RIVER
WARBURTON MISSION
GILES
RURAL PLANNING


ZONE 1
METROPOLITAN AREA
50 KM RADIUS
ZONE 2
SOUTH WEST LAND DIVISION
PERTH
GERALDTON
375
122
48
140
128
307
236
360
0 20 40 60 80 100
KILOMETRES
HIGHWAYS
MAIN ROADS
SECONDARY ROADS
SHIRE BOUNDARIES
1976
RURAL PLANNING

SCHEDULE D - MOTOR VEHICLE ALLOWANCE

Area Details	Rate (cents) per kilometre		
	Engine Displacement (in cubic centimetres)		
	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Metropolitan Area	69.0	58.9	48.9
South West Land Division	71.5	61.1	51.0
North of 23.5o South Latitude	78.7	67.3	56.4
Rest of the State	73.7	62.9	52.4

SCHEDULE E - MOTOR CYCLE ALLOWANCE

Distance travelled during a year on Official Business	Rate Cents per Kilometre
Rate per kilometre	23.9

SCHEDULE F - TRAVELLING, TRANSFER AND RELIEVING ALLOWANCE

ITEM	PARTICULARS	COLUMN A DAILY RATE	COLUMN B DAILY RATE OFFICERS WITH DEPENDENTS: RELIEVING ALLOWANCE FOR PERIOD IN EXCESS OF 42 DAYS (CLAUSE 40(2)(b)) TRANSFER ALLOWANCE FOR PERIOD IN EXCESS OF PRESCRIBED PERIOD (CLAUSE 42(3))	COLUMN C DAILY RATE OFFICERS WITHOUT DEPENDENTS RELIEVING ALLOWANCE FOR PERIOD IN EXCESS OF 42 DAYS (CLAUSE 40(2)(b))
ALLOWANCE TO MEET INCIDENTAL EXPENSES				
		$		
(1)	WA - South of 26° South Latitude	12.80		
(2)	WA - North of 26° South Latitude	18.30		
(3)	Interstate	18.30		
ACCOMMODATION INVOLVING AN OVERNIGHT STAY IN A HOTEL OR MOTEL				
		$	$	$
(4)	WA - Metropolitan Hotel or Motel	239.50	119.75	79.85
(5)	Locality South of 26° South Latitude	183.80	91.90	61.25
(6)	Locality North of 26° South Latitude			
	Broome	392.80	196.40	130.95
	Carnarvon	224.50	112.25	74.85
	Dampier	323.80	161.90	107.95
	Derby	258.80	129.40	86.25
	Exmouth	279.30	139.65	93.10
	Fitzroy Crossing	346.80	173.40	115.60
	Gascoyne Junction	156.30	78.15	52.10
	Halls Creek	245.30	122.65	81.75
	Karratha	500.80	250.40	166.95

	Kununurra	291.80	145.90	97.25
	Marble Bar	224.80	112.40	74.95
	Newman	268.55	134.25	89.50
	Nullagine	198.30	99.15	66.10
	Onslow	240.75	120.40	80.25
	Pannawonica	185.95	92.95	62.00
	Paraburdoo	236.70	118.35	78.90
	Port Hedland	319.50	159.75	106.50
	Roebourne	138.70	69.35	46.25
	Sandfire	163.30	81.65	54.45
	Shark Bay	184.30	92.15	61.45
	Tom Price	261.25	130.60	87.10
	Turkey Creek	197.80	98.90	65.95
	Wickham	415.80	207.90	138.60
	Wyndham	231.30	115.65	77.10
(7)	Interstate - Capital City			
	Sydney	269.50	134.75	89.80
	Melbourne	256.80	128.40	85.60
	Other Capitals	230.50	115.25	76.75
(8)	Interstate – Other than Capital City	183.80	91.90	61.25

ACCOMMODATION INVOLVING AN OVERNIGHT STAY AT OTHER THAN A HOTEL OR MOTEL

(9)	WA - South of 26° South Latitude	83.90
(10)	WA - North of 26° South Latitude	111.00
(11)	Interstate	111.00

TRAVEL NOT INVOLVING AN OVERNIGHT STAY OR TRAVEL INVOLVING AN OVERNIGHT STAY WHERE ACCOMMODATION ONLY IS PROVIDED.

(12) WA - South of 26° South Latitude:

Breakfast	15.50
Lunch	15.50
Dinner	40.10

(13) WA - North of 26° South Latitude

Breakfast	18.10

	Lunch	30.60
	Dinner	44.00
(14)	Interstate	
	Breakfast	18.10
	Lunch	30.60
	Dinner	44.00

DEDUCTION FOR NORMAL LIVING EXPENSES (CLAUSE 42(5)(a))

(15)	Each Adult	24.95
(16)	Each Child	4.30

MIDDAY MEAL (CLAUSE 43(11))

(17)	Rate per meal	6.05
(18)	Maximum reimbursement per pay period	30.25

The allowances prescribed in this schedule shall operate from the beginning of the first pay period commencing on or after 14 April 2008.

SCHEDULE G.MEMORANDUM OF AGREEMENT

(1) TERMINATION

The following provisions relating to the implementation of the 38 hour week are agreed between the parties.

(a) An employee subject to the provisions of subclause (1) of Clause 15. - Hours, who has not taken any Accrued Days Off accumulated during a work cycle in which employment is terminated shall be paid the total of hours accumulated towards the Accrued Day Off for which payment has not already been made for periods of two weeks or over provided that payment shall be made for completed weeks only.

(b) An employee who has taken any Accrued Days Off during a work cycle in which employment is terminated shall have the wages due on termination reduced by the total days for which payment has already been made but for which the employee had no entitlement toward those Accrued Days Off.

(2) WORKERS' COMPENSATION

(a) Where an employee is on Workers' Compensation for periods less than a total of twenty consecutive work days in a 12 monthly work cycle such employee will accrue towards and be paid for the succeeding Accrued Days Off following such absence.

(b) Where an employee is on Workers' Compensation for periods greater than a total of twenty consecutive days in a 12 month work cycle such employees will have the period of Workers' Compensation added to the work cycle.

(c) Where an employee is on Workers' Compensation for periods greater than twenty consecutive work days and an Accrued Day Off as prescribed in subclause (1) of Clause 15. - Hours falls within the period the employee shall be re-rostered for another Accrued Day Off on completion of the twenty week work cycle following such absence.

(3) TRADE OFFS

(a) Payment of Wages into Bank Account

Payment of wages, by arrangement between the employer and an employee shall be paid into the employee's bank account or in any other financial institution's account.

Cheque payments may be substituted for the payment of wages in cases of genuine hardship.

(b) Beverage Charges

Where staff consume morning or afternoon beverages a charge of fifty cents per week will be made.

The charge will be reviewed in relation to the annual movement in the CPI as at December 31 each year.

(c) Meal Break Provision

(i) the practice that applies as at 1/2/85 in certain areas of Institution Officers not claiming their meal break during shifts is to continue;

(ii) the practice prescribed in paragraph (1) above will continue to apply only to employees in the areas prescribed in paragraph (i);

(iii) the provisions of paragraphs (i) and (ii) will continue to apply to the employees in the areas prescribed, notwithstanding any changes after 1/2/85 to the Public Service Overtime Award No. 10 of 1978, and/or the Public Service Shift Work Agreement No. 24 of 1978;

(iv) the employees prescribed in paragraphs (i) and (ii) shall not be entitled to overtime payment for the time worked after the meal breaks not claimed, notwithstanding any changes after 1/2/85 to the Public Service Overtime Award No. 10 of 1978 and/or the Public Service Shift Work Agreement No. 24 of 1978.

SCHEDULE H. – EXPIRED GENERAL AGREEMENT SALARIES

Classification Level	Annual Salary at 1-January 2003 (Not to be subject to arbitrated safety net adjustments)
LEVEL 2.1	$35,952
2.2	$36,876
2.3	$37,847
2.4	$38,873
2.5	$39,946
LEVEL 3.1	$41,421
3.2	$42,571
3.3	$43,756
3.4	$44,972
LEVEL 4.1	$46,641
4.2	$47,948
4.3	$49,293

DATED at Perth this 15th day of March, 1977.

PUBLIC SERVICE ARBITRATOR

V A R I A T I O N R E C O R D

INSTITUTION OFFICERS ALLOWANCES AND CONDITIONS AWARD 1977,

NO. 3 OF 1977

Delivered 15/03/77 at 57 WAIG 424
Correction Order P 1 of 2005
mnc 2005WAIRC00447 of 25 February 2005
is the 2 nd P1 of 05 record for each applicable below listing.

CLAUSE NO.	EXTENT OF VARIATION	ORDER NO.	OPERATIVE DATE	GAZETTE REFERENCE
1. Title				
Prior to 25/02/05 see Variation Record below.				
1B. Minimum Adult Wage				
Prior to 25/02/05 see Variation Record below.				
	Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
	Cl.	957/05	07/07/06	86 WAIG 1631 & 2100
	Cl.	1/07	01/07/07	87 WAIG 1487 & 1990
	Cl	115/07	01/07/08	Unreported
2. Arrangement				
Prior to 25/02/05 see Variation Record below				
	Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
3. Area of Operation				
Prior to 25/02/05 see Variation Record below.				
	Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
4. Scope				
Prior to 25/02/05 see Variation Record below.				
	Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
5. Term of Award				
Prior to 25/02/05 see Variation Record below.				
	Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
6. Definitions				
Prior to 25/02/05 see Variation Record below.				
	Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052
	Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
7. Certificate of Service				
Prior to 25/02/05 see Variation Record below.				
	Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

8. Contract of Service
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
1(c)	P 1/05	25/02/05	85 WAIG 1018 & 1052

9. Salaries
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

10. Purchased Leave - 48/52 Salary Arrangement
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

11. Purchased Leave - Deferred Salary Arrangement
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

12. Salary Packaging Arrangement
Prior to 25/02/05 see Variation Record below.

Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

13. Annual Increments
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

14. Higher Duties Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

15. Hours
Prior to 25/02/05 see Variation Record below.

Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052
2(g)	P 1/05	25/02/05	85 WAIG 1018 & 1052

16. Overtime
Prior to 25/02/05 see Variation Record below.

17. Annual Leave
Prior to 25/02/05 see Variation Record below.

Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052

18. Public Holidays
Prior to 25/02/05 see Variation Record below.

Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 &

			1052

19. Long Service Leave
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

20. Sick Leave
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

21. Carers Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

22. Parental Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

23. Leave Without Pay
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

24. Study Leave
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

25. Short Leave
Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

26. Bereavement Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

27. Cultural/Ceremonial Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

28. Blood/Plasma Donors Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 &

			1052

29. Emergency Service Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

30. Union Facilities for Union Representatives
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

31. Leave to Attend Association Business
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

32. Trade Union Training Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

33. Defence Force Reserves Leave
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

34. Witness and Jury Service
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

35. District Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

36. Disturbance Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

37. Motor Vehicle Allowance
Prior to 25/02/05 see Variation Record below.

Renum. and Retitle	P 1/05	25/02/05	85 WAIG 1018 & 1052
(5)	P 7/07	15/10/07	87 WAIG 2912

38. Property Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

39. Protective Clothing Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

40. Relieving Allowance
Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
(4)	P 26/05	25/10/05	85 WAIG 3713
Corr Ord (4)	P 26/05	19/10/05	86 WAIG 36
(4)	P 13/06	15/08/06	86 WAIG 2766
(4)	P 7/07	15/10/07	87 WAIG 2912

41. Removal Allowance

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052
(1)(c), (1)(d) & (6)	P 26/05	25/10/05	85 WAIG 3713
Corr Ord (1)(c), (1)(d) & (6)	P 26/05	19/10/05	86 WAIG 36
(1) & (6)	P 13/06	15/08/06	86 WAIG 2766
(1) & (6)	P 7/07	15/10/07	87 WAIG 2912

42. Transfer Allowance

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

43. Travelling Allowance

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

44. Weekend Absence From Residence

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

45. Keeping of and Access to Employment Records

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

46. Notification of Change

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

47. Right of Entry and Inspection by Authorised Representatives

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

48. Copies of Award

Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

49. Parties to the Award

Prior to 25/02/05 see Variation Record below.

Renum.	P 1/05	25/02/05	85 WAIG 1018 & 1052

50. Expired General Agreement Salaries

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

51. Dispute Settlement Procedure

Prior to 25/02/05 see Variation Record below.

Ins. new Cl.	P 1/05	25/02/05	85 WAIG 1018 & 1052

Schedule A Salaries

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Cl.	957/05	07/07/06	86 WAIG 1631 & 2100
Cl.	1/07	01/07/07	87 WAIG 1487 & 1990
Cl	115/07	01/07/08	Unreported

Schedule B District Allowance

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Sch	P14/05	01/07/05	85 WAIG 3269

Schedule C Motor Vehicle Allowance

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052

Schedule D Motor Vehicle Allowance

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052

Schedule E Motor Cycle Allowance

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052

Schedule F Travelling, Transfer and Relieving Allowance

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052
Ins. new Sch.	P 42/05	19/12/05	86 WAIG 36
Ins. new Sch.	P 1/08	14/04/08	88 WAIG 381

Schedule G Memorandum of Agreement

Ins. new Schedule	P 1/05	25/02/05	85 WAIG 1018 & 1052
1(a)	P 1/05	25/02/05	85 WAIG 1018 & 1052

Schedule H Expired General Agreement Salaries

Ins. new Sch.	P 1/05	25/02/05	85 WAIG 1018 & 1052
2(c)	P 1/05	25/02/05	85 WAIG 1018 & 1052

V A R I A T I O N R E C O R D

INSTITUTION OFFICERS ALLOWANCES AND CONDITIONS AWARD 1977,

NO. 3 OF 1977

Delivered 15/03/77 at 57 WAIG 424

CLAUSE NO.	EXTENT OF VARIATION	ORDER NO.	OPERATIVE DATE	GAZETTE REFERENCE
1. Title				
	Cl.	P 36/93	02/03/94	74 WAIG 900
(1A. State Wage Principles)				
	Ins. Cl.	1752/91	31/01/92	72 WAIG 191
	Cl. & Title	1457/93	24/12/93	74 WAIG 198
(1A. State Wage Principles December 1993)				
	Cl. & Title	985/94	30/12/94	75 WAIG 23
(1A. Statement of Principles December 1994)				
	Cl. & Title	1164/95	21/03/96	76 WAIG 911
(1A. Statement of Principles March 1996)				
	Cl & Title	915/96	7/08/96	76 WAIG 3368
(1A Statement of Principles - August 1996)				
	Cl & Title	940/97	14/11/97	77 WAIG 3177
(1A. Statement of Principles - November 1997)				
	Cl. & Title	757/98	12/06/98	78 WAIG 2579
(1A. Statement of Principles - June, 1998)				
	Del. Cl. & Title	609/99	06/07/99	79 WAIG 1847
(1B. Minimum Adult Award Wage)				
	Ins. 1B	940/97	14/11/97	77 WAIG 3177
	(2),(3) & (5) rates & text	609/99	01/08/99	79 WAIG 1847
	Cl.	654/00	01/08/00	80 WAIG 3379
	Cl	752/01	01/08/01	81 WAIG 1721
	Del.- Cl	797/02	01/08/02	82 WAIG 1369
2. Arrangement				
	Cl.	PSA 33/86	01/06/86	66 WAIG 1644
	Ins. 1A	1752/91	31/01/92	72 WAIG 191
	1A. Title	1457/93	24/12/93	74 WAIG 198
	Ins. 19	P 36/93	02/03/94	74 WAIG 900
	1A. Title	985/94	30/12/94	75 WAIG 23
	1A. Title	1164/95	21/03/96	76 WAIG 911
	1A. Title	915/96	7/08/96	76 WAIG 3368
	1A	940/97	14/11/97	77 WAIG 3177
	Ins. 1B	940/97	14/11/97	77 WAIG 3177
	1A. Title	757/98	12/06/98	78 WAIG 2579
	Ins. Title	P 10/98	25/09/98	78 WAIG 4881
	Del. 1A	609/99	06/07/99	79 WAIG 1847
	Del. 1B	797/02	01/08/02	82 WAIG 1369
3. Scope				
	Cl.	P 36/93	02/03/94	74 WAIG 900
	Text	P 10/98	25/09/98	78 WAIG 4881

(4. Hours of Duty)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

4. Definition

(5. Contract of Service)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

5. Hours of Duty

(6. Leave of Absence)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

6. Contract of Service

(7. Allowances)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

7. Annual Recreation Leave

(8. Car Allowance)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

8. Long Service Leave

(9. Overtime)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

9. Sick Leave

(10. Copies of Award)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

10. Short Leave

(11. Term of Award)

Cl. & title	PSA 33/86	01/06/86	66 WAIG 1644

11. Leave Without Pay

12. Study Leave

Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644

13. Public Service Holidays

Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644

14. Allowances

Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644

15. Car Allowance

	Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644
	Cl.	P4/94	01/09/90	74 WAIG 1754
16. Overtime				
	Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644
7. Copies of Award				
	Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644
18. Term of Award				
	Ins. Cl.	PSA 33/86	01/06/86	66 WAIG 1644
19. Parties to the Award				
	Ins. Cl.	P 36/93	02/03/94	74 WAIG 900
	Text	P 10/98	25/09/98	78 WAIG 4881
20. Salary Packaging				
	Ins. Cl.	P 10/98	25/09/98	78 WAIG 4881
Schedule				
	Ins. Sch.	PSA 33/86	01/06/86	66 WAIG 1644