

Public Service Allowances (Fisheries and Wildlife Officers) Award 1990

1. - TITLE

This Award shall be known as the Public Service Allowances (Fisheries and Wildlife Officers) Award 1990, and shall supersede and replace the Department of Fisheries and Wildlife Commuted Overtime and Sea-Going Allowances Agreement 1983.

2. - ARRANGEMENT

1. Title
2. Arrangement
3. Scope
4. Definitions
5. Commuted Overtime Allowances – Department of Fisheries
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Schedule A – Named Parties

3. - SCOPE

This Award shall apply to all Government Officers employed within the following categories by one of the named employer parties to this Award under the provisions of the *Public Sector Management Act 1994*: -

- (1) Fisheries and Marine Officers (including trainees).
- (2) Wildlife Officers (including trainees).
- (3) Technical Officers and Technical Assistants involved in Fisheries Research.
- (4) Technical Officers and Technical Assistants involved in Wildlife Research.
- (5) Any other officer engaged in duties at sea.

4. - DEFINITIONS

"A day" means from midnight to midnight.

"At sea" means the period away from home port.

"Association" means The Civil Service Association of Western Australia Incorporated.

"Chief Executive Officer" has the same meaning as that outlined in the *Public Sector Management Act 1994*, as well as any officer duly authorised by the Chief Executive Officer to act on his/her behalf.

"Gross annual salary" means the officer's gross salary as provided for under Schedule A – Salaries to the Public Service Award 1992.

"Prescribed hours of duty" means the hours of duty prescribed within clause 20 of the Public Service Award 1992.

"Retiring Allowance" shall mean the lump sum paid to an officer for accrued and pro-rata leave entitlements payable at the date of retirement.

"On call" shall mean a written instruction or other authorised direction by the employer or a duly authorised officer to an employee rostered to remain at the employee's residence or to otherwise be immediately contactable by telephone or other means outside the employee's normal hours of duty in case of a call out requiring an immediate return to duty. The nature of the duties to be performed requires an employee to be in a state of readiness for immediate return to duty.

5. - COMMUTED OVERTIME ALLOWANCES – DEPARTMENT OF FISHERIES

- (1) Fisheries and Marine Officers
 - (a) Subject to the provisions of paragraphs (b) and (c) of this subclause, these officers shall be paid an allowance of 15% of gross annual salary in lieu of payment for overtime worked pursuant to clause 22. – Overtime Allowance of the Public Service Award 1992. This allowance shall continue to be paid during annual leave, long service leave, personal leave and as part of any retiring allowance.
 - (b) An additional 15% shall be paid for those days on which an officer is engaged in extensive field work approved by the Chief Executive Officer.
 - (c) Officers who occupy positions which generally do not require work to be performed outside of or in excess of the prescribed hours of duty may, at the discretion of the Chief Executive Officer, be paid overtime pursuant to clause 22. - Overtime Allowance of the Public Service Award 1992, in lieu of the allowances prescribed in paragraphs (a) and (b) of this subclause.
- (2) Technical Officers and Technical Assistants involved in Fisheries Research and any other officers authorised by the Chief Executive Officer excluding officers employed in specified calling positions pursuant to clause 12. – Salaries Specified Callings of the Public Service Award 1992
 - (a) All officers shall be paid an allowance at a rate of 20% of gross annual salary for days when working on field duties away from headquarters. This allowance is payable in lieu of payment for overtime worked pursuant to clause 22 – Overtime Allowance of the Public Service Award 1992.
 - (b) Officers who occupy positions which generally do not require work to be performed outside of or in excess of the prescribed hours of duty may, at the discretion of the Chief Executive Officer, be paid overtime pursuant to clause 22. - Overtime Allowance of the Public Service Award 1992, in lieu of the allowance prescribed in paragraph (a) of this subclause.
- (3) Officers Engaged in Duties at Sea
 - (a) Notwithstanding the provisions of subclauses (1) and (2) of this clause, any officer engaged in duties at sea involving either an overnight stay on a Departmental vessel or being at sea on board a commercial fishing vessel shall be paid an allowance of 30% of gross annual salary for those days spent at sea, including the day of departure and day of return. This allowance is payable in lieu of payment for overtime worked pursuant to clause 22 – Overtime Allowance of the Public Service Award 1992.
 - (b) The allowance prescribed by this subclause shall be paid in lieu of the allowances prescribed by subclauses (1) and (2) of this clause.
- (4) Payment of Commuted Overtime Allowances will not be made to officers classified above Level 5 except where the Chief Executive Officer otherwise determines.

6. - COMMUTED OVERTIME ALLOWANCES – DEPARTMENT OF ENVIRONMENT AND CONSERVATION

- (1) Wildlife Officers
 - (a) Subject to the provisions of paragraphs (b) and (c) of this subclause, these officers shall be paid an allowance of 15% of gross annual salary in lieu of payment for overtime worked pursuant to clause 22. – Overtime Allowance of the Public Service Award 1992. This allowance shall continue to be paid during annual leave, long service leave, personal leave and as part of any retiring allowance.
 - (b) An additional 15% shall be paid for those days on which an officer is engaged in extensive field work approved by the Chief Executive Officer.
 - (c) Officers who occupy positions which generally do not require work to be performed outside of or in excess of the prescribed hours of duty may, at the discretion of the Chief Executive Officer, be paid overtime pursuant to clause 22. - Overtime Allowance of the Public Service Award 1992, in lieu of the allowances prescribed in paragraphs (a) and (b) of this subclause.
- (2) Technical Officers and Technical Assistants involved in Wildlife Research and any other officers authorised by the Chief Executive Officer excluding officers employed in specified calling positions pursuant to clause 12. – Salaries Specified Callings of the Public Service Award 1992.
 - (a) All Officers shall be paid an allowance at a rate of 15% of gross annual salary for days when working on field duties away from headquarters. This allowance is payable in lieu of payment for overtime worked pursuant to clause 22 – Overtime Allowance of the Public Service Award 1992.
 - (b) An additional 15% shall be paid for those days on which an officer is engaged in extensive field work approved by the Chief Executive Officer.
 - (c) Officers who occupy positions which generally do not require work to be performed outside of or in excess of the prescribed hours of duty may, at the discretion of the Chief Executive Officer, be paid overtime pursuant to clause 22. - Overtime Allowance of the Public Service Award 1992, in lieu of the allowances prescribed in paragraphs (a) and (b) of this subclause.
- (3) Payment of Commuted Overtime Allowances will not be made to officers classified above Level 5 except where the Chief Executive Officer otherwise determines.

7. - ON CALL ALLOWANCE

Officers placed on-call by the Chief Executive Officer shall be paid on call allowance in accordance with clause 22. - Overtime Allowance of the Public Service Award 1992.

8. - PUBLIC HOLIDAYS

- (1) The following days shall be allowed as holidays with pay: New Year's Day, Australia Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, Anzac Day, Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign, Western Australia 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) An officer required to perform work on a public holiday shall be allowed either one and one-half days' leave with pay or payment of an additional one and one-half days' pay at the ordinary rate of pay, the choice of which is at the discretion of the Chief Executive Officer.
- (3) Where a public holiday falls on an officer's rostered day off, the officer shall be allowed one day's leave with pay in lieu of the holiday.

- (4) Leave provided by this clause may be taken at a time agreed between the officer and the Chief Executive Officer provided that in the absence of such agreement the leave shall be taken in conjunction with the officer's annual leave.

9. - WEEKEND DUTY

- (1) Work performed on a Saturday shall be paid at the rate of time and one-half up to a maximum of the first 7½ hours worked on that day.
- (2) Work performed on a Sunday shall be paid at the rate of time and three quarters up to a maximum of the first 7½ hours worked on that day.
- (3) Payments made under this clause shall be calculated on the officer's ordinary rate of pay for prescribed hours.
- (4) The payment shall be in addition to any allowance for commuted overtime.
- (5) By agreement between the employee and employer, time off in lieu of payment may be granted by the Chief Executive Officer. Such time off in lieu is to be determined at the rate prescribed in subclauses (1) and (2) of this clause.

10. - 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.

11. - TERM OF AWARD

This Award shall operate as from and including the 1st day of October, 1990 and shall remain in force for a period of three years, provided that any time after the expiration of the first 12 months from the date of operation of this Award, or operation of any variation thereof either of the parties may negotiate with the other party to amend or add to this Award or approach the Public Service Arbitrator for an amendment to this Award.

12. - LIBERTY TO APPLY

Leave is reserved by the parties to apply at any time to the Public Service Arbitrator for amendment to clause 5. – Commuted Overtime Allowances – Department of Fisheries and clause 6. – Commuted Overtime Allowances–Department of Environment and Conservation.

13. - SALARY PACKAGING

- (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 2000 (WA) 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.

SCHEDULE A - NAMED PARTIES

The Civil Service Association of Western Australia Incorporated

The Department of Fisheries

The Department of Environment and Conservation

V A R I A T I O N R E C O R D P R I O R T O P 18/2019 ISS. 26/08/2020
NEW VARIATION REVORD FOLLOWING AT END

PUBLIC SERVICE ALLOWANCES (FISHERIES AND WILDLIFE OFFICERS) AWARD
1990 NO PSA A 5 of 1986

Delivered 06/09/90 at 70 WAIG 3612

Consolidated at

CLAUSE NO.	EXTENT VARIATION	OF	ORDER NO.	OPERATIVE DATE	GAZETTE REFERENCE
1. Title					
	As delivered		PSA A5/86	06/09/90	70 WAIG 3612
(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	77 WAIG 2579
(1A. Statement of Principles - June, 1998)					
	Del. Cl. & Title		609/99	06/07/99	79 WAIG 1843
(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 1843
	Cl.		654/00	01/08/00	80 WAIG 3379
	Cl		752/01	01/08/01	81 WAIG 1721

Del. C. & Title	797/02	01/08/02	82 WAIG 1369
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2. Arrangement

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Ins. 1A	1752/91	31/01/92	72 WAIG 191
Cl.	P26/93	24/06/93	73 WAIG 1950
1A. Title	1457/93	24/12/93	74 WAIG 198
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. 11	P 8/98	25/09/98	78 WAIG 4388
Del. 1A	609/99	06/07/99	79 WAIG 1843
Del. 1 B	797/02	01/08/02	82 WAIG 1369
Cl.	P 20/07	22/10/10	90 WAIG 1747

3. Scope

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Text	P 8/98	25/09/98	78 WAIG 4388
Cl.	P 20/07	22/10/10	90 WAIG 1747

4. Definitions

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl.	P 20/07	22/10/10	90 WAIG 1747

5. Commuted Overtime Allowance

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl.	P 20/07	22/10/10	90 WAIG 1747

6. Public Service Holidays

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747

7. Weekend Duty

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
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CI title and cl.	P 20/07	22/10/10	90 WAIG 1747
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8. Copies of Award

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
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CI title and Cl.	P 20/07	22/10/10	90 WAIG 1747
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9. Term of Award

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
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CI title and cl.	P 20/07	22/10/10	90 WAIG 1747
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Corr Order	P 20/07	22/10/10	90 WAIG 1780
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10. Liberty to Apply

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
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CI title and cl.	P 20/07	22/10/10	90 WAIG 1747
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Corr Order	P 20/07	22/10/10	90 WAIG 1780
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11. Salary Packaging

Ins. 11	P 8/98	25/09/98	78 WAIG 4388
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CI title and cl.	P 20/07	22/10/10	90 WAIG 1747
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Corr Order	P 20/07	22/10/10	90 WAIG 1780
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Schedule A - Named Union Party

Ins. Sch	P26/93	24/06/93	73 WAIG 950
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CI title and cl.	P 20/07	22/10/10	90 WAIG 1747
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Corr Order	P 20/07	22/10/10	90 WAIG 1780
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(1A. Statement of Principles - June, 1998)					
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(1B. Minimum Adult Award Wage)					
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	(2),(3) & (5) rates & text		609/99	01/08/99	79 WAIG 1843
	Cl.		654/00	01/08/00	80 WAIG 3379
	Cl		752/01	01/08/01	81 WAIG 1721

Del. C. & Title	797/02	01/08/02	82 WAIG 1369
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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. 11	P 8/98	25/09/98	78 WAIG 4388
Del. 1A	609/99	06/07/99	79 WAIG 1843
Del. 1 B	797/02	01/08/02	82 WAIG 1369
Cl.	P 20/07	22/10/10	90 WAIG 1747

3. Scope

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Text	P 8/98	25/09/98	78 WAIG 4388
Cl.	P 20/07	22/10/10	90 WAIG 1747

4. Definitions

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl.	P 20/07	22/10/10	90 WAIG 1747

5. Commuted Overtime Allowances – Department of Fisheries

(5. Commuted Overtime Allowance) until amended by 90 WAIG 1747

Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
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6. Commuted Overtime Allowances – Department of Environment and Conservation

(6. Public Service Holidays) until amended by 90 WAIG 1747

Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
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7. On Call Allowance

(7. Weekend Duty) until amended by 90 WAIG 1747

Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
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8. Public Holidays

(8. Copies of Award) until amended by 90 WAIG 1747

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
(1)	P 18/19	26/08/2020	Unreported

9. Weekend Duty

(9. Term of Award) until amended by 90 WAIG 1747

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747

10. Copies of Award

(10. Liberty to Apply) until amended by 90 WAIG 1747

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747

11. Term of Award

(11. Salary Packaging) until amended by 90 WAIG 1747

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
Corr Order	P 20/07	22/10/10	90 WAIG 1780

12. Liberty to Apply

As delivered	PSA A5/86	06/09/90	70 WAIG 3612
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
Corr Order	P 20/07	22/10/10	90 WAIG 1780

13. Salary Packaging

Ins 11	P 8/98	25/09/98	78 WAIG 4388
Cl title and Cl.	P 20/07	22/10/10	90 WAIG 1747
Corr Order	P 20/07	22/10/10	90 WAIG 1780
(6)	P 18/19	26/08/20	Unreported

Schedule A - Named Union Party

Ins. Sch	P26/93	24/06/93	73 WAIG 950
Cl title and cl.	P 20/07	22/10/10	90 WAIG 1747
Corr Order	P 20/07	22/10/10	90 WAIG 1780