

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 2016

Queensland Public Service Officers and Other Employees Award – State 2015

Matter No. MA/2019/1

VARIATION OF MODERN AWARD UNDER SECTION 149

Certificate of Approval

On 17 April 2019 the Commission certified the attached modern award in accordance with section 149 of the *Industrial Relations Act 2016*. The variation corrected some minor errors created in the 1 September 2018 reprint of the modern award.

Name of modern award: *Queensland Public Service Officers and Other Employees Award – State 2015*

Operative date of the variation: 1 September 2018

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By the Commission

O'CONNOR VP

18 April 2019

QUEENSLAND PUBLIC SERVICE OFFICERS AND OTHER EMPLOYEES AWARD – STATE 2015

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PART 1 - Title and Operation

1. Title

This Award is known as the *Queensland Public Service Officers and Other Employees Award – State 2015*.

2. Operation

This Award, made on 31 October 2015, operates from:

- 12 January 2016 – for employees covered by the *Office of the Information Commissioner – Certified Agreement 2015*;
- 10 March 2016 – for employees covered by the *Maritime Safety Queensland Maritime Operations Certified Agreement 2015*;
- 16 May 2016 – for employees covered by the *QFleet Certified Agreement 2016*;
- 1 June 2016 – for employees covered by the *State Government Entities Certified Agreement 2015*;
- 30 September 2016 – for employees covered by the *State Government Security Certified Agreement 2016*;
- 5 October 2016 – for Nurses employed by the Department of Education covered by the *Nurses and Midwives (Queensland Health and Department of Education and Training) Certified Agreement (EB9) 2016*;
- 9 February 2017 – for employees covered by the *Transport and Main Roads Enterprise Bargaining Certified Agreement 2016*;
- 15 January 2018 – for employees of National Injury Insurance Agency (Queensland); and
- 31 August 2018 – for employees of Trade and Investment Queensland.

3. Definitions and interpretation

Unless the context otherwise requires, in this Award:

accrued time means authorised work performed by an employee in excess of their ordinary working hours which has not been compensated by the payment of overtime and which is then available to be taken as paid accrued time off pursuant to clauses 8.2(d) and (e), 15.6 or Schedule 3

accrued time off means an approved paid absence during which an employee is able to access previously accrued time

Act means the *Industrial Relations Act 2016*

afternoon shift, other than for the Crime and Corruption Commission, means any shift commencing at or after 1200 and at or before 1800. In the case of the Crime and Corruption Commission it means any shift commencing after 1000 and at or before 1800

Australian Qualifications Framework (AQF) means the national system of recognition for the issue of vocational qualifications

chief executive means a person appointed to that role pursuant to the provisions of one of the Acts mentioned in clause 4.1(a) or, for the purposes of this Award, such other person to whom the chief executive has delegated specific authorities

classification level comprises a minimum salary rate plus a number of increments in a particular stream through which employees will be eligible to progress

Commission means the Queensland Industrial Relations Commission

continuous shift work means work done by employees where the hours of work are regularly rotated in accordance with a shift roster covering 24 hours per day over a 7 day week

Crime and Corruption Commission is the name of the agency created by the *Crime and Corruption Act 2001*

cultural centre means one of the entities listed in Schedule 10

day shift means any shift worked as part of a non-continuous shift work system or a continuous shift work system which is not an afternoon shift or a night shift

day work means a single period of work (excluding a meal break) performed during the spread of ordinary hours which is not part of a non-continuous shift work or a continuous shift work system

day worker means a person who works day work

department means a department as defined in section 7 of the *Public Service Act 2008* or an agency, authority or entity however named created by, or referred to as being covered by, one of the Acts mentioned in clause 4.1(a)

directive means a ruling, or part of a ruling, made under section 53 or section 54 of the *Public Service Act 2008*

employee means a person appointed or engaged pursuant to one of the designated provisions in one of the Acts mentioned in clause 4.1(a)

generic level statement means a broad, concise statement of the duties, skills and responsibilities indicative of a given classification level

increment means for all employees an increase in salary from one paypoint to the next highest paypoint within a classification level

majority of shift means the day on which the major proportion of ordinary hours is worked where the starting and finishing times of that shift occur on different days

National Injury Insurance Agency (Queensland) is the name of the agency created by the National Injury Insurance Scheme (Queensland) Act 2016.

night shift means any shift commencing after 1800 and at or before 2400

non-continuous shift work means work regularly rotated in accordance with a roster which prescribes 2 or more shifts (day, afternoon or night) per day, but does not cover a 24 hour per day operation over a 7 day week (see continuous shift work)

paypoint means the specific rate of remuneration payable to employees within a classification level

public holiday has the same meaning as that provided in Schedule 5 of the Act

public service officer means an employee appointed pursuant to section 119 of the *Public Service Act 2008*

QES means the Queensland Employment Standards contained in Part 3 of Chapter 2 of the Act

QRIDA is the abbreviation of the name of the agency created by the *Rural and Regional Adjustment Act 1994* (*viz*: Queensland Rural and Industry Development Authority)

Queensland Building and Construction Commission means the Queensland Building and Construction Employing Office created by the *Queensland Building and Construction Commission Act 1991*

Residential Tenancies Authority means the Residential Tenancies Employing Office created by the *Residential Tenancies and Rooming Accommodation Act 2008*

rostered day off means a day, other than a scheduled day off, on which an employee is not rostered for duty as a result of time accrued under the method of working ordinary hours implemented in accordance with clauses 15.1(a) to (d), inclusive, or clause 15.2

Safe Food Queensland is the name of the agency created by the *Food Production (Safety) Act 2000*

scheduled day off means:

- for an employee whose ordinary hours of duty are Monday to Friday: Saturday and Sunday
- for an employee whose ordinary hours of duty include a Saturday and/or Sunday: one of the two days each week, or four days each fortnight, that the employee is not rostered for duty in accordance with clause 15.1(f). Depending on the working arrangements, a Saturday and/or Sunday may also be a scheduled day off

shift work means work performed by an employee on day shift, afternoon shift or night shift, either solely or in any combination thereof, as part of a non-continuous shift work system or a continuous shift work system

shift worker means an employee who works shift work

spread of ordinary hours has the meaning ascribed to it in clause 15.3(a)

Trade and Investment Queensland is the name of the agency created by the *Trade and Investment Queensland Act 2013*

TOIL means time off in lieu of payment for overtime

union means one of the industrial organisations of employees mentioned in clause 4.1(c)

4. Coverage

4.1 This Award applies to:

- (a) (i) employees engaged in the public sector of the State of Queensland whose salaries or rates of pay are fixed by this Award and who are:
- (A) appointed pursuant to section 119 or section 148 of the *Public Service Act 2008* or classified as an employee of the public service at the date of commencement of that Act; or
 - (B) appointed pursuant to section 254 of the *Crime and Corruption Act 2001*, other than employees appointed under a written contract of employment in accordance with section 254(4) of that Act; or
 - (C) appointed pursuant to section 15 of the *Food Production (Safety) Act 2000*; or
 - (D) appointed pursuant to section 29F of the *Queensland Building and Construction Commission Act 1991*; or
 - (E) appointed pursuant to section 497 of the *Residential Tenancies and Rooming Accommodation Act 2008*; or

- (F) appointed pursuant to section 36 of the *Rural and Regional Adjustment Act 1994* or engaged pursuant to section 37 of the same Act; or
 - (G) appointed pursuant to section 63 of the *National Injury Insurance Scheme (Queensland) Act 2016*; or
 - (H) appointed pursuant to section 11 of the *Trade and Investment Queensland Act 2013*; and
- (ii) employees employed by a Board of a cultural centre pursuant to:
 - (A) section 22 of the *Libraries Act 1998*; or
 - (B) section 21 of the *Queensland Art Gallery Act 1987*; or
 - (C) section 14 of the *Queensland Museum Act 1970*; and
- (b) each chief executive (however titled) of a government department, entity or cultural centre which employs employees covered by this Award in their capacity as the employer of such employees; and
 - (c) the following industrial organisations of employees:
 - (i) Australian Institute of Marine and Power Engineers' Union of Employees, Queensland District;
 - (ii) Australian Maritime Officers Union Queensland Union of Employees;
 - (iii) Queensland Nurses and Midwives' Union of Employees;
 - (iv) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees; and
 - (v) Together Queensland, Industrial Union of Employees,to the exclusion of any other award.

4.2 The provisions of this Award apply to all employees identified in clause 4.1(a). However, where a provision of a Schedule to this Award applies to a classification of employees or to employees of a department the provisions of the Schedule apply to the extent of any inconsistency.

5. The Queensland Employment Standards and this Award

This Award together with the QES provide for a minimum safety net of enforceable conditions of employment for employees covered by this Award.

6. Enterprise flexibility and facilitative award provisions

6.1 Enterprise flexibility

- (a) As part of a process of improvement in productivity and efficiency, discussion should take place at an enterprise level to provide more flexible working arrangements, improvement in the quality of working life, enhancement of skills, training and job satisfaction and to encourage consultative mechanisms across the workplace.

- (b) The consultative processes established in an enterprise in accordance with clause 6.1 may provide an appropriate mechanism for consideration of matters relevant to clause 6.1(a). Union delegates at the place of work may be involved in such discussions.
- (c) Any proposed genuine agreement reached between an employer and employees in an enterprise is contingent upon the agreement being submitted to the Commission in accordance with Chapter 4 of the Act and is to have no force or effect until approval is given.

6.2 Procedures to implement facilitative award provisions

Wherever facilitative provisions appear in this Award which allow for determination of the conditions of employment by agreement between the chief executive and the union, or the chief executive and the majority of employees affected, the following procedures shall apply:

- (a) Facilitative award provisions can be negotiated between management and employees who are directly affected by such proposals or between management and the union depending on the particular award provisions.
- (b) Employees may be represented by their local union delegate/s and shall have the right to be represented by their local union official/s.
- (c) Facilitative award provisions can only be implemented by agreement.
- (d) In determining the outcome from facilitative provisions neither party should unreasonably withhold agreement.
- (e) Agreement is defined as obtaining consent of greater than 50% of employees directly affected or of the union depending upon the particular award provisions.
- (f) Where a provision refers to agreement by the majority of employees affected, all employees directly affected shall be consulted. This consultation shall be undertaken where practicable as a group, or in groups. Should the consultation process identify employees with specific concerns which relate to either equity or occupational health and safety issues, such concerns may be catered for on an individual basis subject to operational requirements.
- (g) Any agreement reached must be documented and shall incorporate a review period.
- (h) Where the agreement relates to either the working of ordinary hours on other than a Monday to Friday basis, the introduction of shift work or a change to the shift roster, the relevant union/s are to be notified in writing at least one week in advance of agreement being sought.

PART 2 - Dispute Resolution

7. Dispute resolution

7.1 Prevention and settlement of disputes - Award matters

- (a) The objectives of this procedure are the avoidance and resolution of any disputes over matters covered by this Award by measures based on the provision of information and explanation, consultation, co-operation and negotiation.
- (b) Subject to legislation, while the dispute procedure is being followed normal work is to continue except in the case of a genuine safety issue. The *status quo* existing before the emergence of a dispute is to continue whilst the procedure is being followed. No party shall be prejudiced as to the final settlement by the continuation of work.

- (c) There is a requirement for management to provide relevant information and explanation and consult with the appropriate employee representatives.
- (d) In the event of any disagreement between the parties as to the interpretation or implementation of this Award, the following procedures shall apply:
 - (i) the matter is to be discussed by the employee's union representative and/or the employee/s concerned (where appropriate) and the immediate supervisor in the first instance. The discussion should take place within 24 hours and the procedure should not extend beyond 7 days;
 - (ii) if the matter is not resolved as per clause 7.1(d)(i), it shall be referred by the union representative and/or the employee/s to the appropriate management representative who shall arrange a conference of the relevant parties to discuss the matter. This process should not extend beyond 7 days;
 - (iii) if the matter remains unresolved it may be referred to the chief executive for discussion and appropriate action. This process should not exceed 14 days;
 - (iv) if the matter is not resolved then it may be referred by either party to the Commission.
- (e) Nothing contained in this procedure shall prevent a union or the employer from intervening in respect of matters in dispute should such action be considered conducive to achieving resolution.

7.2 Employee grievance procedures - other than Award matters

- (a) The objectives of the procedure are to promote the prompt resolution of grievances by consultation, co-operation and discussion to reduce the level of disputation and to promote efficiency, effectiveness and equity in the workplace.
- (b) The following procedure applies to all industrial matters within the meaning of the Act:
 - Stage 1: In the first instance the employee shall inform such employee's immediate supervisor of the existence of the grievance and they shall attempt to solve the grievance. It is recognised that an employee may exercise the right to consult such employee's union representative during the course of Stage 1.
 - Stage 2: If the grievance remains unresolved, the employee shall refer the grievance to the next in line management ("the manager"). The manager will consult with the relevant parties. The employee may exercise the right to consult or be represented by such employee's union representative during the course of Stage 2.
 - Stage 3: If the grievance is still unresolved, the manager will advise the chief executive and the aggrieved employee may submit the matter in writing to the chief executive if such employee wishes to pursue the matter further. If desired by either party the matter shall also be notified to the relevant union.
- (c) The chief executive shall ensure that:
 - (i) the aggrieved employee or such employee's union representative has the opportunity to present all aspects of the grievance; and
 - (ii) the grievance shall be investigated in a thorough, fair and impartial manner.
- (d) The chief executive may appoint another person to investigate the grievance. The chief executive may consult with the relevant union in appointing an investigator. The appointed person shall be other than the employee's supervisor or manager.

- (e) If the matter is notified to the union, the investigator shall consult with the union during the course of the investigation. The chief executive shall advise the employee initiating the grievance, such employee's union representative and any other employee directly concerned of the determinations made as a result of the investigation of the grievance.
- (f) The procedure is to be completed in accordance with the following time frames unless the parties agree otherwise:
 - Stage 1: Discussions should take place between the employee and such employee's supervisor within 24 hours and the procedure shall not extend beyond 7 days.
 - Stage 2: Not to exceed 7 days.
 - Stage 3: Not to exceed 14 days.
- (g) If the grievance is not settled the matter may be referred to the Commission by the employee or the union.
- (h) Subject to legislation, while the grievance procedure is being followed normal work is to continue except in the case of a genuine safety issue. The *status quo* existing before the emergence of a grievance or dispute is to continue while the procedure is being followed. No party shall be prejudiced as to the final settlement by the continuation of work.
- (i) Where the grievance involves allegations of sexual harassment an employee should commence the procedure at Stage 3.

PART 3 - Types of Employment, Consultation and Termination of Employment

8. Types of employment

An employee may be employed on a full-time, part-time or casual basis.

8.1 Full-time employment

A full-time employee is one who is engaged to work an average of 36.25 hours per week, unless 38 hours or 32.5 hours is specified elsewhere in this Award.

8.2 Part-time employment

- (a) A part-time employee is an employee who:
 - (i) is engaged to work a regular pattern of ordinary hours each fortnight which are less than the ordinary hours worked by an equivalent full-time employee; and
 - (ii) receives, on a *pro rata* basis, the same salary and conditions of employment to those of an equivalent full-time employee who performs the same kind of work.
- (b) For each ordinary hour worked a part-time employee shall be paid no less than:
 - (i) 1/72.5th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 36.25 hours per week; or
 - (ii) 1/76th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 38 hours per week; or
 - (iii) 1/65th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 32.5 hours per week.

- (c) The minimum payment on any day when work is performed shall be for 2 hours' work or other minimum payment as prescribed in the table below, to be made in respect to each engagement:

Department, classification, group or area	Minimum engagement per day
Residential Tenancies Authority <ul style="list-style-type: none"> • all part-time employees 	4 hours

- (d) Additional ordinary hours

- (i) By mutual agreement with their employer, a part-time employee may elect to work additional ordinary hours above their regular hours, up to and including full-time equivalent hours. The additional hours so worked are also to be taken into account in the *pro rata* calculation of all entitlements.
- (ii) Any such additional hours are to be treated as follows:
- (A) day workers - additional hours worked within the spread of ordinary hours prescribed in clause 15.3 are to be either paid for at the ordinary hourly rate or credited as accrued time as prescribed in clause 8.2(e);
- (B) shift workers - to be paid for at the ordinary hourly rate.

- (e) Additional ordinary hours where flexible working hours arrangements apply

- (i) Subject to clause 8.2(e)(ii), where organisational hours of work arrangements (i.e. flexible working hours arrangements) as prescribed in clause 15.6 and Schedule 3 of this Award apply to a part-time employee working day work, any additional ordinary hours worked above 7.25 hours and up to 9.5 hours on any one day shall be credited as accrued time.
- (ii) Where any such additional hours are performed on a day not ordinarily worked by the part-time employee working day work as part of their regular work pattern:
- (A) such additional ordinary hours to a total of 7.25 ordinary working hours per day shall be paid for at the ordinary hourly rate which shall be taken into account in the *pro rata* calculation of all entitlements **or**, at the election of the employee, be credited as accrued time; and
- (B) such additional ordinary hours that exceed a total of 7.25 ordinary working hours per day shall be credited as accrued time.

- (f) Subject to clauses 8.2(d) and (e) all time worked by a part-time employee in excess of the agreed hours on any one day or, in the case of a day worker, outside the spread of ordinary hours of duty prescribed in clause 15.3, is to be paid at the appropriate overtime rate prescribed in clauses 18.2 or 18.3, as the case may be.

- (g) Part-time employees are eligible for payment of salary increments in accordance with the provisions of clause 12.9(a)(ii).

8.3 Casual employment

- (a) (i) A casual employee is an employee who is engaged and paid as such.
- (ii) A casual employee cannot be employed to work more ordinary hours than are worked by an equivalent full-time employee each week or fortnight, as the case may be.

- (b) A casual employee is entitled to receive, on a *pro rata* basis, the same pay and conditions of employment, other than leave entitlements, to those of an equivalent full-time employee who performs the same kind of work.
- (c) For each hour worked a casual employee shall be paid no less than:
- (i) 1/72.5th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 36.25 hours per week; or
 - (ii) 1/76th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 38 hours per week; or
 - (iii) 1/65th of the minimum fortnightly rate of pay for their classification where an equivalent full-time employee's ordinary hours of work are 32.5 hours per week,
- plus a casual loading of 23%.
- (d) Each casual engagement stands alone with a minimum payment as for 2 hours' work, or other minimum payment as prescribed in the table below, to be made in respect to each engagement:

Department, classification, group or area	Minimum engagement per day
(i) Department of Agriculture and Fisheries: <ul style="list-style-type: none"> o casual Plant Health Inspectors 	1 hour, for actual work performed on inspections
(ii) Department of Child Safety, Youth and Women <ul style="list-style-type: none"> o Convenors - Youth Justice Conferencing 	Where the work performed relates to telephone calls and administrative work associated with ongoing conferences with clients, such work will be remunerated at the appropriate rate based on the actual time worked.
(iii) Department of Justice and Attorney-General: <ul style="list-style-type: none"> o Supreme and District Court Bailiffs 	4 hours

- (e) The casual loading of 23% is paid instead of annual leave, paid personal/carer's leave, notice of termination, redundancy benefits and the other attributes of full-time or part-time employment. The loading constitutes part of the casual employee's salary for the purpose of calculating overtime, weekend penalties, public holiday and shift payments, where relevant.
- (f) Casual employees are eligible for payment of salary increments in accordance with the provisions of clause 12.9(a)(iii).
- (g) The long service leave entitlement of casual employees is recorded in clause 22.

8.4 Probationary employment

- (a) Except where the employer and an employee agree to a different period or no period of probation prior to commencement of employment, the engagement of a full-time or part-time employee will

in the first instance be subject to a probationary period of three months duration. If a period of probation of longer than three months is agreed, it must:

- (i) be agreed in writing; and
 - (ii) be a reasonable period having regard to the nature and circumstances of the employment.
- (b) The employer may terminate the employment of an employee who is on probation at any time during the probationary period.
- (c) Where an employee's service is considered satisfactory or where an employee's service exceeds the designated probationary period or agreed extension the employee's appointment will be deemed to be confirmed.

8.5 Anti-discrimination

- (a) In fulfilling their obligations under this Award, the parties must take reasonable steps to ensure that neither the Award provisions nor their operation are directly or indirectly discriminatory in their effects. Discrimination includes:
- (i) discrimination on the basis of sex, relationship status, family responsibilities, pregnancy, parental status, breastfeeding, age, race, impairment, religious belief or religious activity, political belief or activity, trade union activity, lawful sexual activity, gender identity, sexuality and association with, or in relation to, a person identified on the basis of any of the above attributes;
 - (ii) sexual harassment; and
 - (iii) racial and religious vilification.
- (b) Nothing in clause 8.5 is to be taken to affect:
- (i) any different treatment (or treatment having different outcomes) which is specifically exempted under the *Anti-Discrimination Act 1991*;
 - (ii) an employee, employer or registered organisation, pursuing matters of discrimination, including by application to the Australian Human Rights Commission/Anti-Discrimination Commission Queensland.

9. Termination of employment

9.1 Notice of termination by an employer

Notice of termination by an employer is provided for in Division 13 of the QES. Clauses 9.2 to 9.5 supplement the QES provisions.

9.2 Notice of termination by an employee

Unless otherwise agreed between the employer and an employee the notice of termination required by an employee, other than a casual employee, will be 2 weeks or 2 weeks' salary forfeited in lieu. If an employee fails to give the required notice the employer will have the right to withhold monies due to the employee with a maximum amount equal to the ordinary time rate of salary for the period of notice not provided.

9.3 Notice cannot be offset

In the absence of mutual agreement between the employer and the employee, annual leave or any part thereof cannot be considered as or nominated as notice for the purpose of giving notice of termination of employment.

9.4 Job search entitlement

Where an employer has given notice of termination to an employee for reasons other than redundancy, the employee must be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. The time off is to be taken at times that are convenient to the employee after consultation with the employer.

9.5 Statement of employment

An employer shall, in the event of termination of employment, provide upon request to an employee who has been terminated a written statement specifying the period of employment and the classification or type of work performed by the employee.

10. Redundancy

10.1 Redundancy pay

Redundancy pay is provided for in Division 13 of the QES. Clauses 10.2 to 10.9 supplement the QES provisions.

Note: Where a directive about redundancy and retrenchment covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

10.2 Consultation before termination

- (a) Where an employer decides that the employer no longer wishes the job an employee/s has been doing to be done by anyone, and this is not due to the ordinary and customary turnover of labour, and that decision may lead to termination of employment, the employer shall consult the employee/s directly affected and, where relevant, their union/s.
- (b) The consultation shall take place as soon as it is practicable after the employer has made a decision which will invoke the provisions of clause 10.2(a) and shall cover the reasons for the proposed terminations and measures to avoid or minimise the terminations and/or their adverse effects on the employee/s concerned.
- (c) For the purpose of the consultation the employer shall, as soon as practicable, provide in writing to the employee/s concerned and, where relevant, their union/s, all relevant information about the proposed terminations including the reasons for the proposed terminations, the number and categories of employees likely to be affected, the number of workers normally employed and the period over which the terminations are likely to be carried out.
- (d) Notwithstanding the provision of clause 10.2(c), the employer shall not be required to disclose confidential information, the disclosure of which would be adverse to the employer's interests.

10.3 Transfer to lower paid duties

- (a) Where an employee is transferred to lower paid duties by reason of redundancy the employee shall be entitled to the same period of notice of transfer as the employee would have been entitled to if the employee's employment had been terminated under the redundancy pay provisions of the QES.

- (b) The employer may, at the employer's option, make payment in lieu thereof of an amount equal to the difference between the former amounts the employer would have been liable to pay and the new lower amount the employer is liable to pay the employee for the number of weeks of notice still owing.
- (c) The amounts must be worked out on the basis of:
 - (i) the ordinary working hours to be worked by the employee; and
 - (ii) the amounts payable to the employee for the hours including, for example, allowances, loadings and penalties; and
 - (iii) any other amounts payable under the employee's employment contract.

10.4 Employee leaving during notice period

An employee given notice of termination in circumstances of redundancy may terminate their employment during the period of notice. The employee is entitled to receive the benefits and payments they would have received under this clause had they remained in employment until the expiry of the notice, but is not entitled to payment instead of notice.

10.5 Job search entitlement

- (a) An employee given notice of termination in circumstances of redundancy must be allowed up to one day's time off without loss of pay during each week of notice for the purpose of seeking other employment.
- (b) If the employee has been allowed paid leave for more than one day during the notice period for the purpose of seeking other employment the employee must, at the request of the employer, produce proof of attendance at an interview or the employee will not receive payment for the time absent. For this purpose a statutory declaration will be sufficient.
- (c) Clause 10.5 applies instead of clause 9.4 in cases of redundancy.

10.6 Transmission of business

- (a) Where a business is, whether before or after the date of commencement of this Award, transmitted from the employer (transmittor) to another employer (transmittee) and an employee who at the time of such transmission was an employee of the transmittor of the business becomes an employee of the transmittee:
 - (i) the continuity of the employment of the employee shall be deemed not to have been broken by reason of such transmission; and
 - (ii) the period of employment which the employee has had with the transmittor or any prior transmittor shall be deemed to be service of the employee with the transmittee.
- (b) In clauses 10.6 and 10.7, 'business' includes trade, process, business or occupation and includes a part or subsidiary (which means a corporation that would be taken to be a subsidiary under the Corporations Law, whether or not the Corporations Law applies in the particular case) of any such business and 'transmission' includes transfer, conveyance, assignment or succession whether by agreement or by operation of law and 'transmitted' has a corresponding meaning.

10.7 Exemption where transmission of business

The provisions of clause 10.6 are not applicable where a business is, before or after the date of the commencement of this Award, transmitted from the employer (transmittor) to another employer (transmittee) in any of the following circumstances:

- (a) where the employee accepts employment with the transmittee which recognises the period of continuous service which the employee had with the transmittor and any prior transmittor to be continuous service of the employee with the transmittee; or
- (b) where the employee rejects an offer of employment with the transmittee:
 - (i) in which the terms and conditions are substantially similar and no less favourable, considered on an overall basis, than the terms and conditions applicable to the employee at the time of ceasing employment with the transmittor; and
 - (ii) which recognises the period of continuous service which the employee had with the transmittor and any prior transmittor to be continuous service of the employee with the transmittee.

10.8 Alternative employment

An employer, in a particular case, may make application to the Commission to have the general severance pay prescription amended if the employer obtains acceptable alternative employment for an employee.

10.9 Employees exempted

Clauses 10.1 to 10.8 shall not apply:

- (a) where employment is terminated as a consequence of misconduct on the part of the employee; or
- (b) to an employee engaged for a specific period or task/s; or
- (c) to a casual employee; or
- (d) to an employee with less than one year's continuous service, in which case the general obligation on the employer should be no more than to give the relevant employee an indication of the impending redundancy at the first reasonable opportunity and to take such steps as may be reasonable to facilitate the obtaining by the employee of suitable alternative employment.

11. Consultation - Introduction of changes

11.1 Employer's duty to notify

- (a) Where an employer decides to introduce changes in production, program, organisation, structure or technology that are likely to have significant effects on employees, the employer shall notify the employees who may be affected by the proposed changes and, where relevant, their union/s.
- (b) 'Significant effects' includes termination of employment; major changes in the composition, operation or size of the employer's workforce or in the skills required; the elimination or diminution of job opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer of employees to other work or locations and the restructuring of jobs.
- (c) Where the Award makes provision for alteration of any of the matters referred to in clauses 11.1(a) and (b) an alteration shall be deemed not to have significant effect.

11.2 Employer's duty to consult over change

- (a) The employer shall consult the employees affected and, where relevant, their union/s about the introduction of the changes, the effects the changes are likely to have on employees (including the number and categories of employees likely to be dismissed, and the time when, or the period over which, the employer intends to carry out the dismissals) and ways to avoid or minimise the effects of the changes (e.g. by finding alternate employment).
- (b) The consultation must occur as soon as practicable after making the decision referred to in clause 11.1.
- (c) For the purpose of such consultation the employer shall provide in writing to the employees concerned and, where relevant, their union/s, all relevant information about the changes including the nature of the changes proposed, the expected effects of the changes on employees, and any other matters likely to affect employees.
- (d) Notwithstanding the provision of clause 11.2(c) the employer shall not be required to disclose confidential information, the disclosure of which would be adverse to the employer's interests.

PART 4 - Minimum Salary Levels, Allowances and Related Matters

(Note: The wage rates and salary levels prescribed in this Award do not apply to employees to whom the provisions of Schedule 2 (Supported Wage System) apply.)

12. Classifications and minimum salary levels

12.1 Classification structure

Employees covered by this Award, other than employees of Safe Food Queensland, are to be classified into one of five streams as follows:

(a) Administrative stream

- (i) The Administrative stream comprises those roles, the duties of which apply to the functional areas identified in clause 12.1(a)(ii), the incumbents of which are required to possess a range of skills appropriate to the stream.
- (ii) The functional areas include agency administration, human resource management, finance, customer service, development and implementation of policy, information and advisory services.

(b) Professional stream

The Professional stream comprises roles:

- (i) to which are attached a mandatory degree qualification or agreed equivalent as determined by the chief executive; and
- (ii) the duties of which reflect:
 - (A) a combination of practitioner and/or specialist responsibilities; or
 - (B) an identifiable specialisation/management in a profession.

(c) **Technical stream**

The Technical stream comprises roles:

- (i) to which are attached a mandatory diploma, advanced diploma or agreed equivalent as determined by the chief executive; and
- (ii) the duties of which reflect:
 - (A) a combination of practitioner and/or specialist responsibilities providing direct assistance to, but on occasion acting in isolation from, other employees; and/or
 - (B) supervision of employees.

(d) **Operational stream**

The Operational stream comprises those roles, the duties of which apply to various functional areas, the incumbents of which are required to possess a range of skills appropriate to this stream.

(e) **Nursing stream**

The Nursing stream comprises those roles for which it is mandatory to be registered with the Nursing and Midwifery Board of Australia as a registered nurse, and meet the Board's registration standards, in order to practise in Australia.

12.2 Allocation to stream and classification levels

- (a) Allocation of employees to the Administrative, Professional, Technical and Operational streams and to classification levels within those streams shall be in accordance with the generic level statements contained in Schedules 4 to 7, inclusive. These statements reflect the degree of complexity and responsibility of duties, skills and knowledge proceeding from the lowest to the highest classification levels. Their purpose is to provide an indication as to the classification level appropriate to any packaging of duties.
- (b) Allocation of employees to classifications in the Nursing stream shall be in accordance with the generic level statements for nursing classifications contained in Schedule 8.
- (c) Employees of Safe Food Queensland are to be classified in accordance with the classification standards contained in Schedule 9.
- (d) Where a new position is created and its allocation cannot be determined the matter may be discussed with the relevant employee/s and, where requested, their representative, and/or referred to the Commission for resolution.
- (e) Notwithstanding anything contained elsewhere in this Award, an applicant who is appointed to a position may, at the discretion of the relevant employer, be offered and appointed to any paypoint within a level based on recognition of skills, knowledge and abilities.

12.3 Minimum salary levels

(a) **Administrative stream**

Subject to clause 12.3(h) the minimum salaries payable to employees within the Administrative stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
Level 1	1	77	1,409	36,759
	2	82	1,501	39,160
	3	87	1,592	41,534
Level 2 Age 21 ⁴	1	100	1,830 ⁴	47,743
	2		1,876	48,943
	3		1,923	50,169
	4		1,972	51,448
	5		2,019	52,674
	6		2,068	53,952
	7		2,120	55,309
	8		2,180	56,874
Level 3	1		2,323	60,605
	2		2,408	62,822
	3		2,494	65,066
	4		2,579	67,284
Level 4	1		2,729	71,197
	2		2,816	73,467
	3		2,905	75,789
	4		2,992	78,058
Level 5	1		3,147	82,102
	2		3,236	84,424
	3		3,325	86,746
	4		3,413	89,042
Level 6	1		3,599	93,894
	2		3,681	96,034
	3		3,762	98,147
	4		3,844	100,286
Level 7	1		4,015	104,747
	2		4,111	107,252
	3		4,205	109,704
	4		4,299	112,157
Level 8	1		4,439	115,809
	2		4,524	118,027
	3		4,607	120,192
	4		4,690	122,357

Notes:

¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.

² Rounded to the nearest dollar.

³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

⁴ Identifies the minimum salary payable to an employee aged 21 years and over classified in the Administrative stream.

(b) **Professional stream**

Subject to clause 12.3(h) the minimum salaries payable to employees within the Professional stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
Level 1	1	76	1,449	37,803
	2	83	1,582	41,273
	3	90	1,715	44,743
	4	100	1,906 ⁴	49,726
	5		1,985	51,787
	6		2,064	53,848
	7		2,152	56,144
Level 2	1		2,320	60,526
	2		2,444	63,762
	3		2,568	66,997
	4		2,694	70,284
	5		2,820	73,571
	6		2,945	76,832
Level 3	1		3,087	80,537
	2		3,180	82,963
	3		3,272	85,363
	4		3,364	87,763
Level 4	1		3,574	93,242
	2		3,664	95,590
	3		3,754	97,938
	4		3,844	100,286
Level 5	1		4,015	104,747
	2		4,111	107,252
	3		4,205	109,704
	4		4,299	112,157
Level 6	1		4,439	115,809
	2		4,524	118,027
	3		4,607	120,192
	4		4,690	122,357

Notes:

- ¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.
- ² Rounded to the nearest dollar.
- ³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.
- ⁴ Identifies the minimum salary payable to an employee aged 21 years and over classified in the Professional stream.

(c) **Technical stream**

Subject to clause 12.3(h) the minimum salaries payable to employees engaged within the Technical stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
Level 1	1	76	1,449	37,803
	2	83	1,582	41,273
	3	90	1,715	44,743
	4	100	1,906 ⁴	49,726
	5		1,985	51,787

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
	6		2,064	53,848
	7		2,152	56,144
Level 2	1		2,188	57,083
	2		2,265	59,092
	3		2,342	61,100
	4		2,422	63,188
	5		2,501	65,249
	6		2,579	67,284
Level 3	1		2,729	71,197
	2		2,800	73,049
	3		2,872	74,928
	4		2,945	76,832
Level 4	1		3,087	80,537
	2		3,184	83,067
	3		3,280	85,572
Level 5	1		3,413	89,042
	2		3,512	91,625
	3		3,610	94,181
	4		3,708	96,738
Level 6	1		3,826	99,817
	2		3,921	102,295
	3		4,015	104,747

Notes:

¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.

² Rounded to the nearest dollar.

³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

⁴ Identifies the minimum salary payable to an employee aged 21 years and over classified in the Technical stream.

(d) Operational stream

Subject to clause 12.3(h) the minimum salaries payable to employees within the Operational stream, including employees under 21 years of age, are prescribed in the table below:

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
Level 1	1	68	1,244	32,455
	2	74	1,354	35,325
	3	79	1,446	37,725
	4	85	1,556	40,594
	5	90	1,647	42,969
	6	96	1,757	45,838
Level 2	Age 21 ⁴	100	1,830 ⁴	47,743
	2		1,879	49,021
	3		1,929	50,326
	4		1,978	51,604
Level 3	1		2,008	52,387
	2		2,047	53,404

Classification Level	Paypoint	Relativity to Age 21 Rate %	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
	3		2,089	54,500
	4		2,133	55,648
Level 4	1		2,218	57,865
	2		2,288	59,692
	3		2,359	61,544
	4		2,427	63,318
Level 5	1		2,489	64,936
	2		2,568	66,997
	3		2,650	69,136
	4		2,729	71,197
Level 6	1		2,844	74,197
	2		2,919	76,154
	3		2,992	78,058
Level 7	1		3,132	81,711
	2		3,205	83,615
	3		3,280	85,572

Notes:

¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.

² Rounded to the nearest dollar.

³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

⁴ Identifies the minimum salary payable to an employee aged 21 years and over classified in the Operational stream.

(e) **Nursing stream**

The minimum salaries payable to employees within the Nursing stream are prescribed in the table below:

Classification Level	Paypoint	Award Rate ¹ Per Fortnight \$ ²	Annual Salary ³ \$ ²
Level 1	1st year	1,853	48,343
	2nd year	1,913	49,908
	3rd year	1,968	51,343
	4th year	2,032	53,013
	5th year	2,092	54,578
	6th year	2,150	56,091
	7th year	2,210	57,657
	8th year	2,265	59,092
Level 2	1st year	2,325	60,657
	2nd year	2,360	61,570
	3rd year	2,398	62,561
	4th year	2,437	63,579
Level 3	1st year	2,513	65,562
	2nd year	2,557	66,710
	3rd year	2,601	67,857
	4th year	2,646	69,031
Level 4		3,056	79,728
Level 5	Grade 1	2,884	75,241

Classification Level	Paypoint	Award Rate¹ Per Fortnight \$²	Annual Salary³ \$²
	Grade 2	3,033	79,128
	Grade 3	3,231	84,294
	Grade 4	3,429	89,459
	Grade 5	3,777	98,538
	Grade 6	4,122	107,539

Notes:

¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.

² Rounded to the nearest dollar.

³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

(f) **Safe Food Queensland**

Subject to clause 12.3(h) the minimum salaries payable to employees of Safe Food Queensland are prescribed in the table below:

Band Level	Paypoint	Award Rate¹ Per Fortnight \$²	Annual Salary³ \$²
Level 1	SFO1-1	1,506	39,290
Level 2	SFO2-1	1,767	46,099
	SFO2-2	1,902	49,621
	SFO2-3	2,038	53,169
	SFO2-4	2,188	57,083
Level 3	SFO3-1	2,265	59,092
	SFO3-2	2,370	61,831
	SFO3-3	2,474	64,544
	SFO3-4	2,579	67,284
Level 4	SFO4-1	2,694	70,284
	SFO4-2	2,792	72,840
	SFO4-3	2,892	75,449
	SFO4-4	2,992	78,058
Level 5	SFO5-1	3,087	80,537
	SFO5-2	3,196	83,380
	SFO5-3	3,305	86,224
	SFO5-4	3,413	89,042
Level 6	SFO6-1	3,512	91,625
	SFO6-2	3,648	95,173
	SFO6-3	3,785	98,747
	SFO6-4	3,921	102,295
Level 7	SFO7-1	4,015	104,747
	SFO7-2	4,110	107,226
	SFO7-3	4,205	109,704
	SFO7-4	4,299	112,157
Level 8	SFO8-1	4,439	115,809
	SFO8-2	4,524	118,027
	SFO8-3	4,607	120,192
	SFO8-4	4,690	122,357

Notes:

¹ Includes the arbitrated wage adjustment payable under the 1 September 2018 Declaration of General Ruling.

² Rounded to the nearest dollar.

³ Annual salaries (fortnightly rate x 26.089) are for reference purposes only.

(g) Payment of salaries

Salaries shall be paid fortnightly and may at the discretion of a chief executive be paid by electronic funds transfer.

(h) Savings provision

Employees of the undermentioned agencies who are in receipt of a higher rate of salary, as at the date of commencement of this Award, than prescribed for the equivalent classification in clauses 12.1(a) to (d), inclusive, and (f) shall not suffer a reduction in salary because of their transfer to coverage under this Award:

- (i) Crime and Corruption Commission;
- (ii) Queensland Building and Construction Commission;
- (iii) Queensland Rural and Industry Development Authority (QRIDA);
- (iv) Residential Tenancies Authority; and
- (v) Safe Food Queensland.

12.4 Work allocation

An employee appointed to or relieving in a role within a classification level may be allocated and subsequently reallocated to any role within that particular classification level.

12.5 Incidental and peripheral tasks

An employer may direct an employee to carry out duties that are within the particular employee's skill, competence and training provided:

- (a) the direction does not affect the employee's entitlement to higher or other duties allowances provided in this Award; and
- (b) all such directions are consistent with the employer's responsibilities to provide a safe and healthy working environment.

12.6 Recognition of qualifications

- (a) An employee appointed to the Administrative stream who has satisfied assessment requirements for an AQF3, AQF4, AQF5 or AQF6 qualification acceptable to the chief executive shall be paid no less than classification level 2, paypoint 1.
- (b) An employee appointed to the Administrative stream who has satisfied examination requirements for a degree or other post-secondary qualification acceptable to the chief executive shall be paid not less than classification level 2, paypoint 7.
- (c) An employee appointed to level 1 of the Technical stream having obtained the prerequisite qualification shall be appointed to the minimum rate prescribed in level 2 of that stream.
- (d) A new employee or employee appointed to level 1 of the Professional stream having obtained the prerequisite qualifications shall be appointed to level 2 of that stream and commence at the appropriate paypoint as set out hereunder:

3 year qualification	paypoint 1
4 year qualification	paypoint 2
5 year qualification	paypoint 3

- (e) A new employee or employee appointed to level 2 of the Professional stream who acquires or possesses qualifications higher than the minimum prerequisite qualifications (e.g. Honours, Masters and Doctorates) will commence at or progress to the appropriate paypoint as set out hereunder:

4 year qualification	paypoint 2
5 year qualification	paypoint 3
6 year qualification	paypoint 4
7 year qualification	paypoint 5
8 year qualification	paypoint 6

- (f) Nothing in clause 12.6 shall prevent an employee from accessing the provisions of clause 12.2(e).

12.7 Movement between classification levels - general

- (a) Except as provided below, movement between classification levels will be based on appointment on merit to advertised vacancies.
- (b) Annual increments will continue to apply in accordance with the relevant provisions of clause 12.9 to employees moving between classification level 1 and classification level 2 of the Administrative stream.
- (c) Movement of employees from level 2 to level 3 within the Professional and Technical streams will be subject to:
- (i) the employee concerned having served at least 12 months on the maximum salary prescribed for a level 2 employee; and
 - (ii) a recommendation from a selection panel that the applicant is worthy of promotion. The merit of the applicant is to be evaluated in relation to the prescribed criteria (see clause 12.8) through:
 - (A) an assessment of a written application from the applicant; and
 - (B) an interview of the applicant; and
 - (C) a certificate addressing the prescribed criteria, from the director of the division or branch in which the employee is working or a senior employee knowledgeable in the employee's capabilities, that the employee is worthy of promotion based on assessment of the employee.
- (d) Subject to clause 12.2(e) an employee promoted to a position at a higher classification level within the same stream shall be appointed to paypoint one of that higher classification level.
- (e) A public service officer appointed pursuant to section 119 (officer) of the *Public Service Act 2008* shall have their previous service as an officer counted for the purpose of determining their commencing paypoint and calculation of their salary increment, provided that the officer is reappointed within 12 months of cessation of employment and the officer's previous employment was terminated other than by way of disciplinary action.

12.8 Prescribed criteria for movement between classification levels

- (a) **Professional stream**

Applicants for movement within the Professional stream from level 2 to level 3 shall be assessed by a selection panel on the following criteria:

- (i) Demonstrated professional expertise in one or more areas of a discipline as shown by:
 - (A) detailed knowledge of standard professional tasks;
 - (B) examples of modifications to standard procedures and practices and contributions to the development of new techniques and methodologies;
 - (C) professional contribution relevant to the discipline at a local level.
- (ii) Possession of postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.
- (iii) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
 - (A) original in-service presentations;
 - (B) published papers;
 - (C) active involvement in conferences and seminars;
 - (D) consultancies;
 - (E) recognition as a resource person who collects, collates and imparts knowledge in a particular area;
 - (F) preparation of significant internal reports.
- (iv) Demonstrated levels of performance and innovation through:
 - (A) a history of satisfactory performance;
 - (B) demonstrated high levels of efficiency and effectiveness;
 - (C) demonstrated high level of responsibility and initiative.

(b) **Technical stream**

Applicants for movement within the Technical stream from level 2 to level 3 shall be assessed by a selection panel on the following criteria:

- (i) Demonstrated technical expertise in one or more areas of a discipline as shown by:
 - (A) detailed technical knowledge and experience;
 - (B) high levels of accuracy and precision in undertaking procedures;
 - (C) technical contribution at a local level.
- (ii) Possession of higher technical qualifications or developmental experience through attendance at specialist seminars or in-service presentations relevant to the discipline.

- (iii) Evidence of recognition by peers, industry or other client groups as shown by one or more of the following (the activities used as evidence will vary with the discipline of the applicant):
 - (A) original in-service presentations;
 - (B) published papers;
 - (C) active involvement in conferences and seminars;
 - (D) consultancies;
 - (E) recognition as a resource person who collects, collates and imparts technical knowledge in a particular area;
 - (F) preparation of significant internal reports.
- (iv) Demonstrated levels of performance and innovation through:
 - (A) a history of satisfactory performance;
 - (B) demonstrated high levels of efficiency and effectiveness;
 - (C) demonstrated high level of responsibility and initiative.

12.9 Movement within classification levels - increments

Movement within classification levels is based on meeting the following requirements:

- (a) Except in the case of an employee who is paid the prescribed base salary on attaining the age of 21 years or in the case of a promotion, or transfer and promotion, from one classification level to another, an increase is not to be made to the salary of any employee until:
 - (i) In the case of a full-time employee, the employee has received a salary at a particular classification and paypoint for a period of 12 months.
 - (ii) In the case of a part-time employee:
 - (A) the employee has received a salary at a particular classification and paypoint for a period of at least 12 months; and
 - (B) the employee has worked 1,200 ordinary hours in such classification.
 - (iii) In the case of a casual employee with 12 months' **continuous service** with the same employer:
 - (A) the employee has received a salary at a particular classification and paypoint for a period of at least 12 months; and
 - (B) the employee has worked 1,200 ordinary hours in such classification.

For the purpose of clause 12.9(a)(iii), **continuous service** for a casual employee is considered to be broken if more than 3 months, excluding any public holidays, has elapsed between the end of one employment contract and the start of the next employment contract.

- (b) Notwithstanding anything contained elsewhere in this Award, an employee is not entitled to move to the next salary increment level by virtue of the Award unless:

- (i) In the case of employees:
 - (A) in levels 1 and 2 of the Administrative, Professional and Technical streams; and
 - (B) in levels 1, 2 and 3 of the Operational stream,the conduct, diligence and efficiency of the employee has been certified by the chief executive to have been and to be satisfactory.
- (ii) In the case of employees in all other classification levels, performance objectives have been achieved as certified by the chief executive.

12.10 Performance of higher duties

- (a) An employee directed to temporarily fill a position for more than three consecutive working days at a higher classification level within the same stream shall be paid extra remuneration at the first paypoint of the classification level of the position being temporarily filled.
- (b) An employee directed to temporarily fill a position for more than three consecutive working days at a classification level within a different stream as determined by this Award shall be paid extra remuneration either:
 - (i) at the first paypoint of the classification level of the position being temporarily filled; or
 - (ii) at the next highest paypoint above their existing salary level, within the classification level of the position being temporarily filled,whichever is higher.
- (c) In the case of employees of the Residential Tenancies Authority, nothing in clause 12.10 is to be taken to prevent the chief executive, after considering all relevant factors, from approving the payment of extra remuneration to an employee who is directed to temporarily perform all of the duties of a position at a higher classification level if the duties are performed for a period of not less than one working day.

Note: Where a directive about higher duties covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

13. Allowances

13.1 Building inspectors

Senior building inspectors and building inspectors employed by the Queensland Building and Construction Commission who have been authorised in writing by their chief executive to attend to the needs of people in the building industry or their clients by answering telephone enquiries or attending to other incidental matters outside of ordinary working hours shall be paid an additional flat allowance of 10% of their salary. This allowance is not to be considered part of ordinary salary and is not payable for other purposes of this Award (e.g. overtime, annual leave, sick leave).

13.2 Cash handling allowance

- (a) An employee appointed to level 1 or level 2 of the Administrative stream who occupies a cashier-type position and is personally responsible for any shortages that may occur shall be paid an allowance as set out below:

Average daily cash received and/or disbursed	Full-time employee - allowance payable per fortnight \$	Part-time employee - allowance payable per day \$
Less than \$500	Nil	Nil
\$500 and up to and including \$2,499.99	27.30	2.73
\$2,500 and up to and including \$2,999.99	37.20	3.72
\$3,000 and up to and including \$3,499.99	43.90	4.39
\$3,500 and up to and including \$3,999.99	51.40	5.14
\$4,000 and up to and including \$4,499.99	56.90	5.69
\$4,500 and over	63.50	6.35

- (b) The allowances prescribed in clause 13.2(a) are not payable on approved paid or unpaid leave, excluding single day absences on paid sick leave, when absent from the position for whole day/s. In addition, such allowances shall not be payable for public holidays falling on an ordinary working day except where the allowance is payable for those working days immediately prior to and after such public holiday.

13.3 Dog allowance

- (a) An employee of the Department of Agriculture and Fisheries who houses, feeds, cares for and maintains a departmental dog/s shall be paid an additional \$262.80 per fortnight for the first dog and \$176.30 per fortnight for each additional dog for periods where the dog is under the direct care of the employee.
- (b) Any veterinary, local authority registration expenses and other sundry costs are to be paid for by the department or reimbursed to the employee, as agreed between the employer and the employee.

13.4 Driver examiners

Where a driver examiner employed by the Department of Transport and Main Roads must commence work at a worksite other than their normal headquarters and, as a consequence, must travel more than 15 minutes in excess of the time usually taken to travel from the employee's residence to the usual workplace within the spread of 0600 to 1800 hours, Monday to Friday, shall be paid for such excess travelling time, including excess travel time for the return journey to the employee's residence, at the rate of single time.

13.5 Explosive inspectors and gas & petroleum inspectors - out-of-hours allowance

- (a) Explosive inspectors and gas & petroleum inspectors employed by the Department of Natural Resources, Mines and Energy shall be paid an out-of-hours allowance of \$6,914 per annum to compensate for being on call for 7 days/nights per week and for overtime performed on Mondays to Fridays (excluding public holidays) outside ordinary hours.
- (b) This allowance is deemed to be non-superannuable and is payable on a fortnightly basis as an all purpose allowance payable on all paid leave.

13.6 First-aid allowance

An employee holding a certificate in first-aid issued by the Queensland Ambulance Service or equivalent qualification who is appointed in writing by a chief executive as a first-aid attendant/officer shall be paid an additional \$32.80 per fortnight which shall be treated as part of the employee's ordinary fortnightly salary for the purposes of annual leave (but not loading on leave), sick leave, long service leave and all other paid leave.

13.7 Locality allowance

Note: Where a directive about locality allowance covers an employee, the provisions of the directive apply to the employee.

13.8 Motor vehicle allowance

- (a) Where an employer requires an employee to use their own vehicle in or in connection with the performance of their duties, the employee shall be paid an allowance for each kilometre of authorised travel as follows:

- (i) motor vehicle - \$0.79 per kilometre; and
- (ii) motorcycle - \$0.27 per kilometre.

- (b) An employer may require an employee to record full details of all such official travel requirements in a log book.

Note: Where a directive about motor vehicle allowances covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

13.9 Offshore surveillance allowance

- (a) An employee of Queensland Boating and Fisheries Patrol who undertakes at sea surveillance duties on vessels greater than 10 metres carried out on behalf of the department from time to time shall be paid an offshore surveillance allowance of \$1.22 per hour for each day consisting of 24 hours, in respect of:

- (i) continuous periods spent at sea;
- (ii) anchoring out whilst on offshore surveillance; and/or
- (iii) travelling on a vessel at sea away from the port of departure,

with a minimum payment as for 10 hours.

- (b) To qualify for the offshore surveillance allowance an employee must first complete 2 full days (48 hours) at sea.

13.10 Overtime meal allowances and meal breaks

- (a) An employee working day work required to work overtime for:

- (i) more than 2 hours after ordinary ceasing time or for more than one hour continuing beyond 1800 on any normal working day; or
- (ii) more than 4 hours on a rostered day off or scheduled day off,

shall be provided with an adequate meal at the employer's expense or paid a meal allowance of \$13.40 in lieu of the provision of such meal.

- (b) A shift worker required to work overtime for:

- (i) more than 2 hours after ordinary ceasing time on any normal working day; or
- (ii) more than 4 hours on a rostered day off or scheduled day off,

shall be provided with an adequate meal at the employer's expense or paid a meal allowance of \$13.40 in lieu of the provision of such meal.

- (c) Where the employer requires the employee to continue working for a further 4 hours of continuous overtime work in any of the situations mentioned in clauses 13.10(a) or (b), the employee will be entitled to a 30 minute meal break and either provided with an adequate meal at the employer's expense or paid an additional meal allowance of \$13.40.
- (d) Where an employee has been given notice to work overtime on the previous working day or prior thereto, and has brought to work a prepared meal and such overtime is cancelled, the employee shall be paid a meal allowance of \$13.40 for such prepared meal.

Note: Where a directive about overtime meal allowance covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

13.11 Scientific and technical employees working at sea

- (a) A scientific or technical employee employed by the Department of Agriculture and Fisheries working on a research vessel whilst at sea shall be entitled to be paid an at sea allowance of \$17.84 per day.
- (b) Whilst at sea, an employee shall be provided with proper meals and accommodation, bedding, soap, clean bed linen weekly and clean towels twice weekly. The employer shall be responsible for laundering of linen and towels.

13.12 Scientific assistants and animal attendants handling pathogenic materials - risk allowance

A scientific assistant or animal attendant employed by the Department of Agriculture and Fisheries who is required to handle materials or animals infected with disease pathogenic to humans shall be entitled to be paid a risk allowance at the rate of \$23.00 per fortnight in addition to their ordinary rate of pay.

13.13 Tool allowance - Technical officers and Technical assistants

A Technical officer (TO2, TO3 and TO4) or a Technical assistant (TO1), who was previously employed in the former Department of Community Safety, engaged in Emergency Response Systems, Frontline Communications and Response, Frontline and Digital Services, Public Safety Business Agency, who is required to supply and use their own tools shall be entitled to an allowance of \$21.25 per week.

13.14 Uniforms and laundry allowance

- (a) Where a chief executive requires an employee to wear a uniform, the employee shall be supplied sufficient and suitable uniforms of good quality as approved by the chief executive. Uniforms shall be replaced on a fair wear and tear basis.
- (b) A chief executive who requires an employee to wear a uniform but does not supply uniforms to the employee shall pay to the employee an allowance of \$332 per annum or a *pro rata* equivalent in the first year of service and an allowance of \$164 per annum or a *pro rata* equivalent in respect to replacement uniforms during subsequent years.
- (c) An employee required to wear a uniform shall be entitled to have such uniform laundered without charge to the employee or to receive an additional \$9.00 per fortnight.

13.15 Payment of allowances

Payment of all allowances shall be made to the employee concerned on the appropriate pay day within six weeks following application by the employee.

13.16 Adjustment of monetary allowances

- (a) Other than the expense related allowances at clauses 13.8 (motor vehicle allowance), 13.10 (overtime meal allowances and meal breaks), 13.13 (tool allowance) and 13.14 (uniforms and laundry allowance), respectively, all other monetary allowances specified in clause 13 shall be automatically adjusted from the same date and in the same manner as monetary allowances are adjusted in any State Wage Case decision or other decision of the Commission adjusting minimum wage rates in this Award.
- (b) At the time of any adjustment to the wage rates in this Award the expense related allowances at clauses 13.8 (motor vehicle allowance), 13.10 (overtime meal allowances and meal breaks), 13.13 (tool allowance) and 13.14 (uniforms and laundry allowance), respectively, shall be automatically adjusted by the relevant adjustment factor. The relevant adjustment factor for this purpose is the percentage movement in the applicable index figure most recently published by the Australian Bureau of Statistics since the allowance was last adjusted.
- (c) The applicable index figure is the index figure published by the Australian Bureau of Statistics for the Eight Capitals Consumer Price Index, as follows:

<u>Allowance</u>	<u>Eight Capitals Consumer Price Index</u> <u>(ABS Cat No. 6401.0 - Table 7)</u>
Motor vehicle allowance <i>(last adjusted 1 September 2018)</i>	Private motoring sub-group
Overtime meal allowance <i>(last adjusted 1 September 2018)</i>	Take-away and fast foods sub-group
Tool allowance <i>(last adjusted 1 September 2017)</i>	Tools and equipment for house and garden component of the household appliances, utensils and tools sub-group
Uniform and laundry allowance <i>(last adjusted 1 September 2014)</i>	Clothing and footwear group

14. Superannuation

- (a) Subject to Commonwealth legislation and clause 14(b), all employers subject to this Award must comply with superannuation arrangements prescribed in the *Superannuation (State Public Sector) Act 1990* (and associated Deed, Notice and Regulation).
- (b) Where Commonwealth legislation provides for choice of fund rights to an employee subject to this Award, and that employee fails to elect which superannuation fund to which employer contributions are directed, the employer will direct contributions to the appropriate fund prescribed in the abovementioned Queensland legislation.

PART 5 - Hours of Work and Related Matters

15. Hours of duty

15.1 Ordinary hours of duty

- (a) The ordinary hours of duty for all employees covered by this Award, exclusive of meal breaks, shall be an average of 36.25 hours per week and 7.25 hours per day, with a maximum of 9.5 hours per day for day workers, or other hours as recorded in the table below:

Department, classification, group or area	Ordinary hours of work per week (fortnight)	Maximum ordinary hours of work per day
(i) Crime and Corruption Commission: <ul style="list-style-type: none"> • employees working shift work in the electronic collections unit 	36.25	10.35
(ii) Department of Agriculture and Fisheries: <ul style="list-style-type: none"> • Queensland Boating and Fisheries Patrol <ul style="list-style-type: none"> o all employees up to and including district managers (but excluding administrative officers, regional managers and the superintendent) 	38	12
(iii) Department of Education: <ul style="list-style-type: none"> • Schools officer (facilities) • Schools officer (grounds) • Schools officer (grounds and facilities) 	38 38 38	10 10 10
(iv) Department of Environment and Science: <ul style="list-style-type: none"> • Gallery services officer, Queensland Art Gallery (*Subject to agreement between the employer and the employee or employees concerned). 	38	10*
(v) Department of Housing and Public Works: <ul style="list-style-type: none"> • Computer operators, CITEC • Telephonists ("concierges") employed at Smart Service Queensland (SSQ) 	36.25 32.5	12 7.25
(vi) Department of Natural Resources, Mines and Energy: <ul style="list-style-type: none"> • Senior magazine keeper • Assistant magazine keeper • Explosives reserve keeper 	38 38 38	10 10 10
(vii) Department of Transport and Main Roads: <ul style="list-style-type: none"> • Driver examiners • Transport inspectors 	72.5 hours per fortnight over a 9 day fortnight or a 19 day month 76 hours per fortnight	
(viii) Public Safety Business Agency: <ul style="list-style-type: none"> • Technical officers (TO2, TO3 and TO4) and Technical assistants (TO1), who were previously employed in the former Department of Community Safety, engaged in Emergency Response Systems, Frontline Communications and Response, Frontline and Digital Services <p>(*Where a team of employees is required to perform duties in the field on emergency deployment, such deployment shall be a maximum of 4 days duration with a daily maximum of 12 hours' work)</p>	72.5 hours over a 9 day fortnight*	

Department, classification, group or area	Ordinary hours of work per week (fortnight)	Maximum ordinary hours of work per day
<ul style="list-style-type: none"> • Nurses 	38 hours with a maximum of 10 hours per day	
(ix) Queensland Building Construction Commission: <ul style="list-style-type: none"> • all employees 	145 hours over a 28 day cycle	
(x) Queensland Fire and Emergency Services: <ul style="list-style-type: none"> • State emergency services staff 	72.5 per fortnight	9.5
(xi) Safe Food Queensland: <ul style="list-style-type: none"> • all employees <p>(*by agreement with employees in a section or work unit)</p>	36.25 or 72.5 per fortnight	9 hours 6 minutes*

- (b) The ordinary hours of employees working 38 hours per week and listed in the table in clause 15.1(a) are to be worked on one of the following bases as agreed between the employer and the employees concerned:
- (i) 38 hours within a work cycle not exceeding 7 consecutive days; or
 - (ii) 76 hours within a work cycle not exceeding 14 consecutive days; or
 - (iii) 114 hours within a work cycle not exceeding 21 consecutive days; or
 - (iv) 152 hours within a work cycle not exceeding 28 consecutive days.
- (c) Notwithstanding the working hours arrangements recorded in clause 15.1(a), an employer and an employee or groups of employees may agree that the ordinary hours of work are to exceed 8 hours on any day, thus enabling one or more days to be taken as a rostered day off during a particular work cycle.
- (d) Different methods of working a 38 hour week may apply to individual employees, groups or sections of employees in each location concerned.
- (e) Rostered day off
- (i) Where the arrangement of ordinary hours of work provides for a rostered day off, the employer and an individual employee and/or the majority of employees concerned may agree to accrue up to a maximum of five rostered days off.
 - (ii) Where such agreement has been reached, the accrued rostered days off shall be taken within 12 calendar months of the date on which each rostered day off was accrued. Consent to accrue rostered days off shall not be unreasonably withheld by either party.
- (f) Scheduled days off - where work is performed on other than a Monday to Friday basis

- (i) Unless prescribed elsewhere in this Award all employees whose ordinary hours of duty may be worked on days other than Monday to Friday shall be entitled to not less than two consecutive scheduled days off duty each week.
- (ii) In lieu of two whole days off in each week, an employee may be allowed in each fortnightly period either one scheduled day off in one week and three consecutive scheduled days off in the other week or four consecutive scheduled days off.
- (iii) Two consecutive scheduled days off, one at the end of one week and one at the beginning of the following week may be counted as meeting the requirements of clause 15.1(f)(i).

15.2 Shift work arrangements

- (a) Shift work may be introduced to meet operational requirements. Such shift work shall be worked in accordance with a roster mutually agreed between the chief executive and the majority of employees directly affected. Any discussions concerning the introduction of shift work or roster variations shall be conducted in accordance with the provisions of clause 6.2 of this Award.
- (b) A roster setting out the employees' days of duty and starting and finishing times on such days shall either be displayed in a convenient place or made available electronically to employees at least one work cycle in advance.
- (c) A shift worker shall not perform more than two consecutive shifts (e.g. day shift/afternoon shift; afternoon shift/night shift).
- (d) Changes within a roster shall be by agreement between the employer and the employee concerned but failing agreement 24 hours' notice of any change in the roster must be given by the employer or double time is to be paid for the employee's next shift.
- (e) Subject to meeting operational requirements, rostered shifts may be mutually exchanged between employees provided such exchange occurs within the same pay period.

15.3 Spread of ordinary hours of duty

- (a) The spread of ordinary hours of duty for day workers shall be 0600 to 1800 Monday to Friday, or other spread of hours as recorded in the table below:

Department, classification, group or area	Spread of ordinary hours
(i) Crime and Corruption Commission: <ul style="list-style-type: none"> • all employees 	0700 to 1800, Monday to Friday
(ii) Department of Agriculture and Fisheries: <ul style="list-style-type: none"> • Queensland Boating and Fisheries Patrol <ul style="list-style-type: none"> ○ all employees up to and including district managers (but excluding administrative officers, regional managers and the superintendent) ○ casual plant health inspectors 	0000 to 2400, Monday to Sunday 0000 to 2400, Monday to Sunday
(iii) Department of Child Safety, Youth and Women: <ul style="list-style-type: none"> • Convenors - Youth Justice Conferencing 	0600 to 1800, Monday to Sunday
(iv) Department of Education: <ul style="list-style-type: none"> • Community participation officers 	0600 to 2100, Monday to Friday

Department, classification, group or area	Spread of ordinary hours
<ul style="list-style-type: none"> • Runaway Bay Sports and Leadership Excellence Centre: <ul style="list-style-type: none"> ○ Reception staff ○ Massage therapists 	<p>0500 to 2100, Monday to Friday 0600 to 2100, Saturday and Sunday</p> <p>0500 to 2100, Monday to Friday 0600 to 1730 Saturday 0600 to 1230 Sunday</p>
<p>(v) Department of Environment and Science</p> <ul style="list-style-type: none"> • Protection and services staff, Queensland Art Gallery • Gallery services officer, Queensland Art Gallery • Visitor services officers, information officers and education assistants, Queensland Museum • Learning Officer, Sciencentre, Queensland Museum 	<p>0600 to 1800, Monday to Sunday</p> <p>0600 to 1800, Monday to Sunday</p> <p>0600 to 1800, Monday to Sunday</p> <p>0600 to 1800, Monday to Sunday</p>
<p>(vi) Department of Natural Resources, Mines and Energy:</p> <ul style="list-style-type: none"> • Senior magazine keeper • Assistant magazine keeper • Explosives reserve keeper 	<p>0600 to 1800, Monday to Sunday</p> <p>0600 to 1800, Monday to Sunday</p> <p>0600 to 1800, Monday to Sunday</p>
<p>(vii) Department of Justice and Attorney-General:</p> <ul style="list-style-type: none"> • Supreme and District Court bailiffs 	<p>0830 to 1730, Monday to Friday</p>
<p>(viii) Department of State Development, Manufacturing, Infrastructure and Planning:</p> <ul style="list-style-type: none"> • Sales information officers, Economic Development Queensland 	<p>0600 to 1800, Monday to Sunday</p>
<p>(ix) Public Safety Business Agency:</p> <ul style="list-style-type: none"> • Technical officers (TO2, TO3 and TO4) and Technical assistants (TO1), who were previously employed in the former Department of Community Safety, engaged in Emergency Response Systems, Frontline Communications and Response, Frontline and Digital Services 	<p>0730 to 1605, Monday to Friday</p>
<p>(x) Queensland Building and Construction Commission:</p> <ul style="list-style-type: none"> • all employees 	<p>0700 to 1830, Monday to Friday or other spread of hours or days (i.e. Saturday and/or Sunday) agreed in writing with the majority of employees concerned</p>

Department, classification, group or area	Spread of ordinary hours
(xi) Queensland Corrective Services <ul style="list-style-type: none"> • Visits processing officers (Corrective Services) 	0600 to 1800, Monday to Sunday
(xii) Queensland Fire and Emergency Services: <ul style="list-style-type: none"> • State emergency services staff 	0600 to 2200, Monday to Sunday

- (b) The ordinary starting and finishing times of individual employees or groups of employees may be staggered subject to agreement between the employer and employee or the employer and the majority of employees concerned. Agreement to stagger starting and finishing times of an individual employee or groups of employees shall not be unreasonably withheld.
- (c) Employees are required to observe the nominated starting and finishing times for the work day including designated breaks to maximise available working time. Preparation for starting and finishing work including personal clean up will be in the employee's time.

15.4 Payment for working ordinary hours - day workers

All ordinary hours of duty performed by an employee within the spread of ordinary hours of duty shall be paid for as follows:

- (a) Monday to Friday - ordinary time;
- (b) between 0000 and 2400 on a Saturday - time and one-half;
- (c) between 0000 and 2400 on a Sunday - double time; and
- (d) between 0000 and 2400 on a public holiday - at the rate prescribed in clause 23.1.

15.5 Payment for working ordinary hours - shift workers

- (a) Subject to clauses 15.5(c) and (e) all employees who work an afternoon shift or night shift Monday to Friday, inclusive, are to be paid, in addition to their ordinary salary, an allowance of 15% for all ordinary time worked on such shifts.
- (b) An employee who commences a day shift before 0600 is to be paid, in addition to their ordinary salary, an allowance of 15% for all ordinary time worked prior to 0600.
- (c) A part-time or casual employee who commences work at or after 1200 and ceases work at or before 1800 will not be regarded as having worked an afternoon shift.
- (d) Subject to clause 15.5(e) all ordinary hours of duty worked by a shift worker on a weekend or a public holiday will be paid for as follows:
 - (i) between 0000 and 2400 on a Saturday - time and one-half;
 - (ii) between 0000 and 2400 on a Sunday - double time; and
 - (iii) between 0000 and 2400 on a public holiday - at the rate prescribed in clause 23.1.
- (e) The payments prescribed in clauses 15.5(a) and (d) shall be calculated on a majority of shift basis. This means, for example:

- (i) if the majority of the ordinary hours of a shift which commenced on a Friday are worked on a Saturday, the whole of the shift is to be treated as having been worked on a Saturday; and
- (ii) if the majority of the ordinary hours of a shift which commenced on a Saturday are worked on a Sunday, the whole of the shift is to be treated as having been worked on a Sunday; and
- (iii) if the majority of the ordinary hours of a shift which commenced on a Sunday are worked on a Monday, the whole of the shift is to be treated as having been worked on a Monday.

15.6 Organisational (flexible) hours of work arrangements - day workers

- (a) Notwithstanding the provisions of clauses 8.2, 15.1, 15.3 and 15.4, respectively, the provisions of clause 15.6 and Schedule 3 provide a framework within which hours of work arrangements and related conditions can be implemented with the express purpose of providing all **eligible employees** with access to an accrued day off within a work cycle. However, nothing will limit the ability of a chief executive and an employee to agree to access accrued time in part-days off.
- (b) For the purposes of clause 15.6(a), **eligible employees** are:
 - (i) those employees whose ordinary weekly hours are 36.25 hours per week; and
 - (ii) part-time employees whose ordinary hourly rate is based upon a 36.25 hour week for equivalent full-time employees and who are engaged in a role where operational requirements **allow for** the application of organisational hours arrangements. Examples of where operational requirements would **preclude** the application of such organisational hours arrangements to part-time employees include:
 - (A) filling in spaces on a roster;
 - (B) replacing employees absent on leave, a rostered day off or an accrued day off; or
 - (C) covering peak workload periods or client service requirements at specific times.
- (c) Notwithstanding the provisions of clause 15.6(b), organisational hours of work arrangements are **not** available to:
 - (i) employees working shift work; and
 - (ii) casual employees.
- (d) Organisational hours of work arrangements are to be implemented in accordance with the provisions of Schedule 3.

16. Meal breaks

16.1 Meal breaks - day workers

- (a) All day workers who work in excess of 5 hours on any day shall be allowed not less than 30 minutes for an unpaid meal break between the third and sixth hours of duty.
- (b) Where it is mutually agreed between the employer and an employee, that in order to maintain the continuity of work, the hours of duty may be inclusive of meal times. Where this occurs no deduction shall be made from the employee's salary.

16.2 Meal breaks - shift workers

All shift workers shall be allowed not less than 30 minutes for a meal break, without deduction of salary, with such break being taken at a time which maintains the continuity of work.

17. Rest pauses - both day workers and shift workers

- (a) All employees are entitled to a paid rest pause of 10 minutes duration in the employer's time in the first and second half of the working day, subject to the following:
- (i) a total of 10 minutes for an employee who works for more than 3 hours but less than 6 ordinary hours in any day; or
 - (ii) a total of 20 minutes for an employee who works for at least 6 ordinary hours in any day.
- (b) Where an employee is engaged on a 38 hour week the employer may determine that the rest pauses may be combined into one 20 minute rest pause to be taken in the first part of the ordinary working day with the 20 minute rest pause and the meal break arranged in such a way that the ordinary working day is broken into approximately three equal working periods.
- (c) Employees who are required to leave their work places to partake of rest pauses in crib huts or lunch rooms and those who are "on site" shall, at the employer's discretion, have one rest pause of 20 minutes duration in the first part of the working day.
- (d) All rest pauses shall be taken at such times as will not interfere with the continuity of work where such continuity is necessary.

18. Overtime

18.1 Overtime - general

- (a) An employee appointed to or relieving in a position which attracts a salary level above that prescribed for an employee in classification level AO5, paypoint 4, or other classification and paypoint level recorded in the table below, is not entitled to remuneration for overtime.

Department, group or area	Stream classification and paypoint
(i) Department of Agriculture and Fisheries: <ul style="list-style-type: none"> • Queensland Boating and Fisheries Patrol <ul style="list-style-type: none"> ○ all employees up to and including district managers (but excluding administrative officers, regional managers and the superintendent) • Forestry officers 	<ul style="list-style-type: none"> • Technical, Level 5, paypoint 1 • In lieu of payment for overtime such employees will be entitled to TOIL (see clause 18.4)
(ii) Safe Food Queensland	<ul style="list-style-type: none"> • Employees classified at a level of SF03-04 • In lieu of payment for overtime such employees will be entitled to TOIL, on a time for time basis, at a time agreed with the employer (see clause 18.4).

- (b) Nothing in clause 18.1(a) is to be taken to prevent a chief executive from exercising their discretion to make overtime payments to an employee who would otherwise be exempted from being entitled to remuneration for overtime.

- (c) An employee receiving a salary level above that prescribed in clause 18.1(a) shall be entitled to time off in lieu, equivalent to the amount of additional time worked, on a time for time basis.
- (d) Subject to clause 18.1(a) an employee receiving higher duties payments in accordance with clause 12.10 is entitled to be paid for all authorised overtime at the rate applicable to the classification level and paypoint of the position being temporarily filled.
- (e) Employees shall work reasonable overtime whenever necessary in the opinion of the chief executive, but 24 hours' notice shall be given, where practicable, to an employee required to work overtime.
- (f) Overtime is to be calculated to the nearest quarter of an hour.

Note: Where a directive about hours and overtime covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

18.2 Payment for overtime - day workers

Except as provided in clauses 8.2, 18.1, 18.2 and 18.4 and Schedules 1 and 3:

- (a) All authorised overtime worked by an employee in excess of their ordinary daily hours of duty or outside their spread of ordinary working hours on a Monday to Friday, inclusive, shall be paid at the rate of time and one-half for the first 3 hours and double time thereafter.
- (b) All authorised overtime worked by an employee on a rostered day off or first or third scheduled day off shall be paid at the rate of time and one-half for the first 3 hours and double time thereafter with a minimum payment as for 2 hours' work.
- (c) All authorised overtime worked by an employee on a second or fourth scheduled day off shall be paid at the rate of double time with a minimum payment as for 2 hours' work.
- (d) All authorised overtime worked by an employee on a public holiday shall be paid at the rate prescribed in clause 23.1.
- (e) The minimum payments provided in clauses 18.2(b) and (c) shall not apply where such overtime is performed immediately preceding or following ordinary hours.
- (f) Overtime rates for Supreme and District Court Bailiffs employed by the Department of Justice and Attorney-General are recorded in clause S1.1.1 of Schedule 1.
- (g) A part-time employee of QRIDA who works overtime is to be paid at the appropriate overtime rate plus a loading of 1/12th (or 8.33%) in lieu of annual leave.

18.3 Payment for overtime - shift workers

- (a) Subject to clauses 18.1(a) and 18.3(b), all shift workers are to be paid for all overtime at the rate of double time.
- (b) All authorised overtime worked by a shift worker on a public holiday shall be paid for at the rate prescribed in clause 23.1.

18.4 TOIL

- (a) In lieu of the provisions in clauses 18.2 and 18.8 employees in the following departments, classifications, groups or areas are entitled to access TOIL arrangements in the manner recorded in the table below:

Department, classification, group or area	TOIL arrangements
<p>(i) Crime and Corruption Commission:</p> <ul style="list-style-type: none"> • all employees 	<ul style="list-style-type: none"> • At the election of the employee - overtime may be compensated by time off in lieu.
<p>(ii) Department of Agriculture and Fisheries:</p> <ul style="list-style-type: none"> • Queensland Boating and Fisheries Patrol <ul style="list-style-type: none"> ○ all employees up to and including district managers (but excluding administrative officers, regional managers and the superintendent) 	<ul style="list-style-type: none"> • At the election of the employee - overtime may be compensated by time off in lieu.
<p>(iii) Department of Education:</p> <ul style="list-style-type: none"> • Community participation officers • School support staff 	<ul style="list-style-type: none"> • Overtime worked on a Saturday or Sunday may, by mutual agreement, be taken as time off in lieu on a time for time basis. • In accordance with Section 3 of Schedule 3.
<p>(iv) Nursing staff:</p> <ul style="list-style-type: none"> • all departments 	<ul style="list-style-type: none"> • By mutual agreement time off in lieu, to a maximum of 24 hours, may be granted on a time for time basis • Any accrued time outstanding at the time of cessation of an employee's employment is to be paid for at the appropriate overtime rate.
<p>(v) Public Safety Business Agency:</p> <ul style="list-style-type: none"> • Technical officers (TO2, TO3 and TO4) and Technical assistants (TO1), who were previously employed in the former Department of Community Safety, engaged in Emergency Response Systems, Frontline Communications and Response, Frontline and Digital Services 	<ul style="list-style-type: none"> • At the election of the employee - time off in lieu on a time for time basis. • TOIL to be taken within 12 months of the day on which the overtime was worked, with any TOIL not taken within that time to lapse.
<p>(v) Queensland Building and Construction Commission:</p> <ul style="list-style-type: none"> • all employees 	<ul style="list-style-type: none"> • By mutual agreement overtime may be compensated by time off in lieu.
<p>(vi) QRIDA:</p> <ul style="list-style-type: none"> • all employees (whether entitled to remuneration for overtime pursuant to clause 18.1(a) or not) 	<ul style="list-style-type: none"> • By mutual agreement - time off in lieu on a time for time basis.

Department, classification, group or area	TOIL arrangements
	<ul style="list-style-type: none"> • TOIL to be taken within 12 months of the day on which the overtime was worked, with any TOIL not taken within that time to lapse.
<p>(vii) Residential Tenancies Authority:</p> <ul style="list-style-type: none"> • all employees 	<ul style="list-style-type: none"> • An employee on call who is recalled to work on a Saturday or Sunday may, by mutual agreement, take time off in lieu on a time for time basis. • TOIL to be taken within 12 months of the day on which the overtime was worked, with any TOIL not taken within that time to lapse. • In addition to being able to elect to take TOIL, on a time for time basis, an employee on call who is recalled to work on a public holiday is to be paid at half the ordinary rate of pay for the time worked with a minimum payment as for 4 hours.
<p>(viii) Safe Food Queensland:</p> <ul style="list-style-type: none"> • all employees 	<ul style="list-style-type: none"> • At the election of the employee and with the agreement of the employer - overtime may be compensated (where available) by time off in lieu on a time for time basis. • TOIL must be taken ahead of annual leave and long service leave, or by mutual agreement, taken in conjunction with such leave. • TOIL must be taken within 4 months of the day on which the overtime was worked, with any TOIL not taken within that time to be paid out. • A maximum of 5 days of TOIL, at the employee's normal working hours, may be accrued at any one time.

18.5 Recall to duty - other than from on call

- (a) An employee (**other than an employee on call**) having been recalled to perform duty shall be paid for the time worked with a minimum payment as for 2 hours for each call out at the prescribed overtime rate, provided that such minimum payment shall not apply where the overtime is performed immediately preceding and/or is continuous with ordinary hours of duty.
- (b) Should the employee be called out again within that 2 hour period no further minimum payment shall apply to that work which shall be separately paid for at the applicable overtime rate until the overtime is completed.
- (c) Time worked in clause 18.5 is to be calculated from the time of commencement until the cessation of duty at the employee's normal place of work or other designated place.

18.6 Transport costs on recall

Where an employee is recalled to perform work during an off duty period the employee shall be provided with transport to and from the employee's home or be refunded the cost of such transport.

18.7 On call - additional payments

- (a) Where an employee, other than a registered nurse level 4 or level 5, is instructed to be available on call outside ordinary or rostered working hours the employee shall be paid an allowance based upon the hourly rate of the classification of **professional officer level 3, paypoint 4** in accordance with the following scale:
 - (i) where the employee is on call throughout the whole of a rostered day off, a scheduled day off or a public holiday: 95% of the prescribed hourly rate;
 - (ii) where an employee is on call during the night only of a rostered day off, a scheduled day off or public holiday: 60% of the prescribed hourly rate; and
 - (iii) where an employee is on call on any other night: 47.5% of the prescribed hourly rate.
- (b) For the purpose of calculating the hourly rate, the divisor shall be based upon a 38 hour week and calculated to the nearest \$0.05.
- (c) For the purpose of clause 18.7:
 - (i) a **night** is deemed to consist of those hours falling between 1700 and 0800 or mainly between such hours;
 - (ii) **scheduled day off** includes the 2 days in 7 not part of ordinary working hours, e.g. Saturday and Sunday for employees whose ordinary working days are Monday to Friday.
- (d) Any on call roster implemented by a department will be by agreement between the chief executive, the majority of affected employees, and the relevant union. Agreement to implement on call arrangements shall not be unreasonably refused.

18.8 Recall to duty - from on call

- (a) **Monday to Friday** - an employee on call being recalled to perform duty shall be paid for the time worked at the overtime rate prescribed in clauses 18.2(a) or 18.3(a), such time to be calculated as from home and return with a minimum payment as for 2 hours' work.

- (b) **Saturday or a Sunday** - an employee on call being recalled to perform duty on a Saturday or a Sunday is to be paid for such overtime at the appropriate overtime rate prescribed in clauses 18.2(b) and (c) or 18.3 with a minimum payment as for 2 hours' work inclusive of travelling time from home and return **or**, at the employee's option, be granted time off in lieu at a mutually convenient time equivalent to the number of hours worked.
- (c) **Public holiday** - an employee on call being recalled to perform duty on a public holiday is to be paid for such overtime at the appropriate overtime rate prescribed in clause 23.1 with a minimum payment as for 4 hours' work inclusive of travelling time from home and return **or**, at the employee's option, be granted time off in lieu at a mutually convenient time equivalent to the number of hours worked. An employee who is granted equivalent time off in lieu shall also be paid at half the ordinary rate for the time so worked with a minimum payment as for 4 hours' work.
- (d) An employee on call who undertakes duties without the need to leave the employee's place of residence shall be entitled to the following:
 - (i) Where providing advice, referring callers to other staff or organisations, taking details of complaints/incidents for resolution during ordinary hours or directing other staff to attend an incident (normally no greater than 10 minutes for each occurrence) - payment at the overtime rate prescribed in clauses 18.2 or 18.3 for the actual time worked up to a maximum of 2 hours on any one day. Where at least 4 calls in this category are taken between 2200 and 0600, such calls shall be deemed to constitute a minimum of one hour's work.
 - (ii) Where undertaking normal duties (e.g. correcting/resolving faults via internet, making and receiving phone calls in order to manage an incident other than provided for in clause 18.8(d)(i)) payment at the overtime rate prescribed in clauses 18.2 or 18.3 for the actual time worked with a minimum payment of one hour for each time the employee performs such duties. Should such employee be recalled again to perform duties separately within the minimum one hour period, no further minimum payment shall apply.
 - (iii) The employee will be responsible for the recording of the nature and the times of contact in respect of the types of matters mentioned in clauses 18.8(d)(i) and (ii), respectively, for subsequent verification by the chief executive.
- (e) Any overtime payable in accordance with clause 18.8 shall be in addition to the on call allowances prescribed in clause 18.7(a).

18.9 Fatigue leave/rest period after overtime

- (a) An employee who works so much overtime between the termination of ordinary work on one day and the commencement of ordinary work on the next day so that 10 consecutive hours off duty has not occurred shall be released after completion of such overtime until 10 consecutive hours off duty occur without loss of pay for ordinary working time occurring during such absence.
- (b) If, on the instructions of the employer, an employee resumes or continues ordinary work without having had 10 consecutive hours off duty the employee shall be paid double rates until released from duty and shall then be entitled to be absent until 10 consecutive hours off duty has occurred without loss of pay for ordinary working time occurring during such absence.
- (c) The provisions of clause 18.9 shall apply to shift workers who rotate from one shift to another as if 8 hours were substituted for 10 hours when overtime is worked:
 - (i) for the purposes of changing shift rosters; or
 - (ii) when a shift worker does not report for duty; or

- (iii) where a shift is worked by arrangement between the employees themselves.
- (d) Clause 18.9 does not apply to employees:
 - (i) who reside or remain on or about their place of work and are required to perform duties on an intermittent basis outside their ordinary hours of duty; or
 - (ii) who work 2 hours or less when recalled to duty, inclusive of travelling time, on one or more recalls.
- (e) The provisions of clause 18.9(d), do not apply to forestry officers recalled to fight fires.

18.10 Restrictions regarding on call arrangements

- (a) Where practicable a chief executive shall not require an employee to be continuously available on call for a period in excess of six weeks.
- (b) Employees in the following departments, classifications, groups or areas may be instructed to be on call to the extent recorded in the table:

Department, classification, group or area	On call requirement
<p>Public Safety Business Agency:</p> <ul style="list-style-type: none"> • Technical officers (TO2, TO3 and TO4) and Technical assistants (TO1), who were previously employed in the former Department of Community Safety, engaged in Emergency Response Systems, Frontline Communications and Response, Frontline and Digital Services 	<p>Except in extenuating circumstances: 1 week in each 6 week cycle</p>

18.11 Meal breaks on overtime

All employees covered by this Award who work overtime are entitled to meal breaks and, where relevant, meal allowances as prescribed in clause 13.10.

PART 6 - Leave of Absence and Public Holidays

19. Annual leave

Annual leave is provided for in Division 5 of the QES. Clauses 19.1 to 19.4 supplement the QES.

Note: Where a directive about annual leave covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

19.1 Payment for annual leave

- (a) An employee (other than a shift worker) proceeding on annual leave is entitled to receive the following payments:
 - (i) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave; and
 - (ii) a further amount equal to 17.5% of the salary payable for ordinary time in relation to the employee's substantive position for the period of such leave.

- (b) A shift worker proceeding on annual leave is entitled to receive the following payment:
- (i) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave calculated according to the employee's roster or projected roster including shift, weekend or public holiday penalties; or
 - (ii) an amount equal to the salary level being paid to the employee immediately before the employee takes the leave for the period of such leave, plus a further amount equal to 17.5% of the salary payable for ordinary time in relation to the employee's substantive position for the period of such leave, excluding any shift, weekend or public holiday penalties,
- whichever is the higher.

19.2 Additional leave

- (a) A magazine employee or magazine manager employed by the Department of Natural Resources, Mines and Energy based at the centres of Helidon, Bajool, Queerah and Brookhill who is required to reside on site shall be entitled to 10 days' leave per annum in addition to their annual leave entitlement as compensation for being on call and confined to site. An employee acting in the capacity of a magazine employee or magazine manager and required to reside on site shall be entitled to *pro rata* entitlement of the 10 days' additional leave during the period that the employee relieves or acts in that capacity. The additional 10 days' leave is not annual leave and does **not** attract annual leave loading.
- (b) An employee of the Department of Agriculture and Fisheries who houses, feeds, cares for and maintains a departmental dog/s shall be entitled to one week of additional annual leave, accrued on a *pro rata* basis for periods where the dog is under the direct care of the employee. The additional one week of annual leave does **not** attract annual leave loading.
- (c) All employees of the Queensland Building and Construction Commission headquartered in Cairns, Mackay or Townsville are entitled to accrue an additional one week of annual leave per completed year of service. The additional one week of annual leave does **not** attract annual leave loading.

19.3 Broken leave

By agreement between the employer and an employee annual leave may be taken in broken periods.

19.4 Christmas/New Year closure

- (a) Where their employing department is compulsorily closed over the Christmas/New Year period, all affected employees shall have their annual leave entitlement debited (other than a **concessional day**) by the number of ordinary working days, or hours in the case of part-time employees, they would ordinarily have worked between Christmas Day and New Year's Day, inclusive.
- (b) For the purposes of clause 19.4(a), **concessional day** means any day upon which an employee is permitted to be absent on full pay without debit to any leave account as a result of a compulsory closure of Government establishments over the Christmas/New Year period or such closure or restricted staffing as the employer determines.
- (c) Notwithstanding the provisions of clause 19.4(a), an employer and an employee may agree that an employee may access any accrued rostered day/s off, TOIL or any other accrued time off during a compulsory Christmas closure period instead of having their annual leave entitlement debited.

20. Personal leave

- (a) Personal leave is provided for in Division 6 of the QES and covers:
 - (i) sick leave;
 - (ii) carer's leave;
 - (iii) bereavement leave; and
 - (iv) cultural leave.
- (b) In addition to the provisions of Subdivision 2 of Division 6 of the QES an employee is entitled to use any sick leave to which they have an entitlement for carer's leave purposes.
- (c) An employee may also elect, with the consent of the employer, to take annual leave for carer's leave purposes.

Note: Where a directive about sick leave or bereavement leave covers an employee, the provisions of the relevant directive apply to the employee to the extent it provides a more generous entitlement.

21. Parental leave

- (a) Parental leave is provided for in Division 8 of the QES and covers:
 - (i) birth-related leave for an employee who is pregnant or whose spouse gives birth;
 - (ii) adoption leave; and
 - (iii) surrogacy leave.
- (b) Notwithstanding the provisions of Subdivision 2 of Division 8 of the QES, all full-time and part-time employees are entitled to parental leave upon commencement of employment.
- (c)
 - (i) An employee who is pregnant, whether or not she has given her employer written notice of the date/s on which she proposes to start and/or end maternity leave, must:
 - (A) commence maternity leave at least 6 weeks prior to the expected date of birth of her child; and
 - (B) remain on maternity leave until at least 6 weeks after the birth of the child.
 - (ii) An employer may at the request of the employee and on receipt of a certificate from a medical practitioner certifying that in the opinion of the medical practitioner:
 - (A) the employee is fit for duty until a specified date - reduce the period mentioned in clause 21(c)(i)(A); or
 - (B) the employee is fit to resume duty - reduce the period mentioned in clause 21(c)(i)(B).
 - (iii) If the employer makes a decision under clause 21(c)(ii)(A) to reduce the period, the approval is of effect until:
 - (A) the day specified in the medical certificate; or

- (B) the day 14 days after the day the employer revokes the decision by giving written notice to the employee; or
 - (C) the employee commences maternity leave; or
 - (D) the day of the employee's confinement,
- whichever happens first.
- (d) An employee who is pregnant, during the term of her pregnancy until 6 weeks before the expected date of birth of her child or lesser period as approved by the employer, may request to work part-time or other flexible work arrangements.
 - (e) An employee who has taken leave to attend compulsory interviews or examinations as part of an adoption process or who has taken leave to attend compulsory interviews or court hearings associated with a surrogacy arrangement may request that such leave be taken as paid annual leave.
 - (f) In addition to the provisions of Subdivision 6 of Division 8 of the QES an employee who has returned to work on a part-time basis may seek to return to the position they held prior to commencing parental leave.
 - (g) If the position mentioned in clause 21(f) no longer exists but there are other positions available that the employee is qualified for and is capable of performing, the employee is entitled to be employed in a position that is, as nearly as possible, comparable in status and remuneration to that of the employee's former position.
 - (h) The employer must make a position to which the employee is entitled available to the employee.
 - (i)
 - (i) An employee who is the parent of a child may apply, at any time, to their employer to work on a part-time basis in order to be the child's primary caregiver when not at work.
 - (ii) The requirements concerning the manner in which the employee may make an application to work part-time under clause 21(i)(i) are the same as those contained in the QES with respect to applications to return to work on a part-time basis for an employee on parental leave (i.e. s 75).
 - (iii) The period in relation to which an application under clause 21(i) may be made cannot extend beyond the day the child in relation to whom parental leave was taken is required to be enrolled for compulsory schooling under the *Education (General Provisions) Act 2006*.
 - (iv) The requirements concerning the manner by which the employer is to assess any application by an employee to work part-time are the same as those contained in the QES with respect to assessing applications to return to work on a part-time basis for an employee on parental leave (i.e. s 76).

Note: Where a directive about paid parental leave covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

22. Long service leave

- (a) Long service leave, including for casual employees, is provided for in Division 9 of the QES. Clause 22(b) supplements the QES.
- (b) In lieu of the provisions of sections 95(2)(a) and (b) of the Act, all employees who complete 10 years' continuous service are entitled to long service leave at the rate of 1.3 weeks on full pay for each year of continuous service and a proportionate amount for an incomplete year of service.

Note: Where a directive about long service leave covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

23. Public holidays

Public holidays are provided for in Division 10 of the QES. Clauses 23.1 to 23.5 supplement the QES provisions.

23.1 Payment for public holidays and for work on a public holiday

- (a) An employee (other than a casual employee) who would normally work on a day on which a public holiday falls and who:
 - (i) is not required to work on that day, shall be paid for the ordinary hours the employee would normally have worked if that day had not been a public holiday;
 - (ii) is required to work on the public holiday shall, in addition to the payment prescribed in clause 23.1(a)(i), be paid at the rate of time and one-half for any hours worked, with a minimum payment as for 4 hours' work for the day.
- (b) An employee (including a casual employee) who would normally work on a day on which a public holiday falls and who performs authorised overtime outside the employee's ordinary working hours for that day shall be paid for such time at double the overtime rate prescribed in clauses 18.2 or 18.3(a), as the case may be.
- (c) An employee (including a casual employee) who would not normally be required to work on a public holiday but who is required to work on that day shall be paid at the rate of double time and one-half for any hours worked, with a minimum payment as for 4 hours' work for the day.
- (d) The minimum payment provided in clauses 23.1(a) or (c) shall not apply where the work performed on the public holiday is immediately preceding or following ordinary hours.

23.2 Equivalent time off

- (a) Subject to clause 23.1, an employee who performs work on any public holiday, or any day appointed under the *Holidays Act 1983* to be kept in place of any such holiday, shall at the employee's option receive time off equivalent to the number of hours worked, with a minimum of 4 hours in lieu of monetary compensation.
- (b) Where an employee elects to take equivalent time off such employee shall in addition be paid at half the ordinary rate with a minimum as for 4 hours' work.

23.3 Substitution

- (a) Subject to statutory limitations (such as the time work may not be performed on Anzac Day) where there is agreement between the chief executive and an employee or employees, another ordinary working day may be substituted for a public holiday.
- (b) Where an employee is subsequently required to work on the substituted day they shall be paid at the rate prescribed in clause 23.1.

23.4 Employees who do not ordinarily work Monday to Friday of each week

- (a) An employee (other than a casual employee) who does not ordinarily work Monday to Friday of each week is entitled to either payment for each public holiday or a substituted day's leave.

- (b) Where a public holiday would have fallen on a Saturday or a Sunday (e.g. Australia Day) but is substituted for another day, an employee (other than a casual employee) who would ordinarily have worked on such Saturday or Sunday but who is not rostered to work on such day is entitled to payment for the public holiday or a substituted day's leave.
- (c) Where Christmas Day falls on a Saturday or a Sunday and the public holiday is observed on another day, an employee required to work on Christmas Day (i.e. 25 December) is to be paid at the rate of double time.
- (d) For the purpose of clause 23.4(a) **payment for each public holiday and a substituted day's leave** means:
 - (i) for a full-time employee whose ordinary hours are 38 hours per week: 7.6 hours at ordinary rates; and
 - (ii) for all other full-time employees: 7.25 hours at ordinary rates.
- (e) Nothing in clause 23.4 confers a right to any employee to payment for a public holiday as well as a substituted day in lieu.

23.5 Rostered day off on a public holiday

- (a) An employee (other than a casual employee) whose rostered day off falls on a public holiday shall be paid an additional day's wage or, by mutual agreement between the chief executive and the employee, be granted a day's holiday in lieu at a time to be mutually arranged between the chief executive and the employee concerned, including by taking it in conjunction with annual leave.
- (b) For the purpose of clause 23.5(a) **additional day's wage and a day's holiday in lieu** means:
 - (i) for a full-time employee whose ordinary hours are 38 hours per week: 7.6 hours at ordinary rates; and
 - (ii) for all other full-time employees: 7.25 hours at ordinary rates.

23.6 Additional provisions for shift workers

- (a) All hours worked by a shift worker on a public holiday shall be paid for at the rate prescribed in clause 23.1.
- (b) The payments described in clause 23.6(a) shall be calculated on a majority of shift basis (see the examples at clause 15.5(e)).

24. Jury service

Jury service is provided for in Division 12 of the QES.

PART 7 - Transfers, Travelling and Working Away from Usual Place of Work

25. Transfer and appointment expenses

- (a) Eligible employees when appointed or when transferred (other than at their own request) from one centre to another may be paid for expenses incurred, including:
 - (i) the conveyancing of self, family and effects to the centre to which the employee is appointed or transferred;

- (ii) board and lodging;
 - (iii) other items of expenditure related to taking up duty.
- (b) Nothing in clause 25(a) is to be taken to prevent a chief executive from exercising their discretion to pay all or part of the expenses of an employee who is transferred from one centre to another centre at their own request.

Note: Where a directive about transfer and appointment expenses covers an employee, the provisions of the directive apply to the employee to the extent it provides a more generous entitlement.

26. Travelling and relieving expenses

An employee who is required to:

- (a) travel on official duty; or
- (b) take up duty away from the employee's usual place of work to relieve another employee; or
- (c) to perform special duty,

is to be reimbursed actual and reasonable expenses for accommodation, meals and incidental expenses necessarily incurred by the employee.

Note: Where a directive about travelling and relieving expenses covers an employee, the provisions of the relevant directive apply to the employee to the extent it provides a more generous entitlement.

27. Transfer of employees

An employee who has served for three years or more continuously in an office or offices in an isolated location shall be entitled to be transferred, without detriment, to some other position in a more favourable locality as soon as opportunity offers.

28. Patient escort - Nurse

When a nurse is required to travel as escort for a patient they shall be paid at the appropriate rate for all time the patient is under their care. When returning from such escort the nurse shall be paid for a maximum of 12 hours out of every 24 hours at ordinary rates provided that when returning on a rostered day off or scheduled day off they shall be granted an additional day off in lieu or an additional day is to be added to their next recreation leave.

PART 8 - Training and Related Matters

29. Training, learning and development

- (a) The parties to this Award recognise that in order to increase efficiency and productivity a greater commitment to learning and development is required.
- (b) Accordingly, the parties commit themselves to developing a more highly skilled and flexible workforce and providing employees with career opportunities through appropriate training to acquire additional skills and knowledge for performance of their duties.

- (c) Within each agency, a consultative mechanism and procedures involving representatives of management, employees and relevant unions shall be established as determined by the chief executive, having regard to the size, structure and needs of that agency.
- (d) Following consultation, the chief executive shall develop a learning and development strategy consistent with:
 - (i) the current and future needs of the agency;
 - (ii) the size, structure and nature of the operations of the agency; and
 - (iii) the need to develop vocational skills relevant to the agency through courses conducted wherever possible by accredited educational institutions and providers.
- (e) Learning and development may be both on-the-job or off-the-job and either internal or external to the organisation.
- (f) Learning and development provided should assist employees in obtaining accredited competencies, knowledge and skills.
- (g) All such learning and development should be directed at enabling employees to enhance skills relevant to duties to be performed. Employees will be expected to attend scheduled learning and development activities.

PART 9 - Union Related Matters

30. Union encouragement

- (a) The parties recognise the right of individuals to join a union and will encourage that membership. However, it is also recognised that union membership remains at the discretion of individuals.
- (b) An application for union membership and information on the relevant union/s will be provided to all employees at the point of engagement.
- (c) Information on the relevant union/s will be included in induction materials.
- (d) Union representative/s will be provided with the opportunity to discuss union membership with new employees.

31. Union delegates

- (a) The parties acknowledge the constructive role democratically elected union delegates undertake in the workplace in relation to union activities that support and assist members. That role will be formally recognised, accepted and supported.
- (b) Employees will be given full access to union delegates/officials during working hours to discuss any employment matter or seek union advice, provided that service delivery is not disrupted and work requirements are not unduly affected.
- (c) Provided that service delivery and work requirements are not unduly affected, delegates will be provided convenient access to facilities for the purpose of undertaking union activities. Such facilities include: telephones, computers, e-mail, photocopiers, facsimile machines, storage facilities, meeting rooms and notice boards. It is expected that management and delegates will take a reasonable approach to the responsible use of such facilities for information and communication purposes.

- (d) Subject to the relevant employee's written approval and any confidentiality provisions, delegates may request access to documents and policies related to a member's employment.

32. Industrial relations education leave

- (a) Industrial relations education leave is paid time off to acquire knowledge and competencies in industrial relations. Such knowledge and competencies can allow employees to effectively participate in consultative structures, perform a representative role and further the effective operation of grievance and dispute settlement procedures.
- (b) Employees may be granted up to 5 working days (or the equivalent hours) paid time off (non-cumulative) per calendar year, approved by the chief executive, to attend industrial relations education sessions.
- (c) Additional leave, over and above 5 working days non-cumulative (or the equivalent hours) in any one calendar year may be granted where approved structured employees' training courses involve more than 5 working days (or the equivalent). Such leave will be subject to consultation between the chief executive, the relevant union and the employee.
- (d) Upon request and subject to approval by the chief executive, employees may be granted paid time off in special circumstances to attend management committee meetings, union conferences, and Australian Council of Trade Unions (ACTU) Congress.
- (e) The granting of industrial relations education leave or any additional special leave should not impact adversely on service delivery, work requirements or the effectiveness and efficiency of the work unit concerned. At the same time, such leave shall not be unreasonably refused.
- (f) At the discretion of the chief executive, employees may be granted special leave without pay to undertake work with their union.

33. Right of entry

- (a) Authorised industrial officer
 - (i) An 'authorised industrial officer' is any union official holding a current authority issued by the Industrial Registrar.
 - (ii) Right of entry is limited to workplaces where the work performed falls within the registered coverage of the union.
- (b) Entry procedure
 - (i) An authorised industrial officer may enter a workplace at which an employer carries on a calling of the officer's organisation, during the employer's business hours, to exercise a power under Chapter 9, Part 1, Division 5, Subdivision 2 of the Act as long as the authorised industrial officer:
 - (A) has notified the employer or the employer's representative of the officer's presence; and
 - (B) produces their authorisation, if required by the employer or the employer's representative.
 - (ii) Clause 33(b)(i) does not apply if, on entering the workplace, the officer discovers that neither the employer nor the employer's representative having charge of the workplace is present.

- (iii) A person must not obstruct or hinder any authorised industrial officer exercising their right of entry.
 - (iv) If the authorised industrial officer does not comply with a condition of clause 33(b)(i) the authorised industrial officer may be treated as a trespasser.
- (c) Inspection of records
- (i) An authorised industrial officer is entitled to inspect the time and wages record required to be kept under section 339 of the Act.
 - (ii) An authorised industrial officer is entitled to inspect such time and wages records of any current employee except if the employee:
 - (A) is ineligible to become a member of the authorised industrial officer's union; or
 - (B) has made a written request to the employer that they do not want their record inspected.
 - (iii) The authorised industrial officer may make a copy of the record, but cannot require any help from the employer.
 - (iv) A person must not, by threats or intimidation, persuade or attempt to persuade an employee or prospective employee to make, or refuse to make, a written request to the employer or prospective employer that the record not be available for inspection by an authorised industrial officer.
- (d) Discussions with employees
- An authorised industrial officer is entitled to discuss with the employer, or a member or employee eligible to become a member of the union:
- (i) matters under the Act during working or non-working time; and
 - (ii) any other matter with a member or employee eligible to become a member of the union, during non-working time.
- (e) Conduct
- (i) The employer must not obstruct the authorised industrial officer exercising their right of entry powers.
 - (ii) An authorised industrial officer must not wilfully obstruct the employer, or an employee during the employee's working time.

Note: Clause 33 - Right of entry, deals with comparable provisions contained within the Act. In order to ensure the currency of existing legal requirements parties are advised to refer to Chapter 9, Part 1, Division 5 of the Act as amended from time to time.

Schedule 1 - Agency Specific Provisions

Section 1 - Department of Justice and Attorney-General

S1.1.1 Supreme and District Court bailiffs

S1.1.1.1 Overtime and public holiday payments

- (a) Where a bailiff is required to remain with a jury on lock-up, overtime shall be paid in accordance with the following:

Weekdays		
	1730 to 2030	time and one-half
	2030 to 0030	double time
	0030 to 0430	sleep time (ordinary time)
	0430 to 0700	time and one-half
	0700 to 0830	double time

Weekends		
Friday	1730 to 2030 2030 to 0030	time and one-half double time
Saturday	0030 to 0430 0430 to 0700 0700 to 0030	sleep time (ordinary time) time and one-half double time
Sunday	0030 to 0430 0430 to 0030	sleep time (ordinary time) double time
Monday	0030 to 0430 0430 to 0700 0700 to 0830	sleep time (ordinary time) time and one-half double time

- (b) All other overtime performed by bailiffs shall be dealt with in accordance with clause 18 of this Award.
- (c) When on jury lock-up, the hours of duty will be inclusive of meal times, which are to be provided by the employer, and no deduction for such meal times shall be made from the employee's salary.

S1.1.1.2 Public holidays - bailiffs

Entitlements to public holidays shall be in accordance with clause 23 provided that no additional public holiday penalties shall be payable in relation to sleep time (i.e. 0030 to 0430) where a bailiff is required to remain with the jury on lock-up.

Schedule 1 - Section 2 - Department of Agriculture and Fisheries

S1.2.1 Queensland Boating and Fisheries Patrol (QBFP)

The following conditions apply to all QBFP employees up to and including district manager. They do not apply to administrative officers, regional managers or the superintendent.

S1.2.1.1 Extra payment for weekend work/TOIL

(a) For the purposes of this clause:

Sunday shift means a shift of 8 hours worked on a Sunday

relevant Sunday shifts means the total stipulated hours in each relevant financial year which an employee is required to work as ordinary hours and, in addition, accrue time off in lieu of penalty rates before being paid weekend penalties in accordance with clause S1.2.1.1(b). This will mean the first four rostered and worked Sundays of each financial year.

- (b) Except as provided for elsewhere in clause S1.2.1, all ordinary time duty performed between 0000 and 2400 on a Saturday will be paid for at the rate of time and one-half and all ordinary duty performed between 0000 and 2400 on a Sunday shall be paid for at the rate of double time.
- (c) An officer will be paid ordinary time and, in addition, will accrue time off in lieu of penalty rates equivalent to the actual ordinary hours worked for the first four rostered and worked Sunday shifts of each financial year (representing 8 hours per shift, 32 hours in total).
- (d) Where the duration of ordinary shifts is either greater than or less than the average daily ordinary hours, the total ordinary hours worked will contribute on a *pro rata* basis towards the relevant Sunday shifts where payment of ordinary weekend penalties does not apply.
- (e) An employee may elect to combine or convert the relevant Sunday shifts with Saturdays and/or Sundays or alternatively with Saturdays and/or Sundays and public holidays. Should this option be chosen a Saturday shift of 8 hours will equate to 4 hours and a public holiday shift of 8 hours will equate to 12 hours.
- (f) An employee entitled to receive extra payment for weekend work, or work on public holidays, may elect to be compensated by time off in lieu as follows:
- (i) for ordinary hours worked on a Saturday - paid at ordinary time and in addition accrue time off in lieu equal to 50% of the hours worked;
 - (ii) for ordinary hours worked on a Sunday - paid at ordinary time and in addition accrue time off in lieu equal to 100% of the hours worked;
 - (iii) for ordinary hours worked on a public holiday - paid at ordinary time and in addition accrue time off in lieu equal to 150% of the hours worked.
- (g) Time off in lieu not utilised within 12 months of accrual will expire.

S1.2.1.2 Night shift allowance

An employee will be paid 15% in addition to ordinary rates in respect of periods of ordinary duty performed between the hours of 1800 and 0600 to a maximum of 8 hours and a minimum of 4 hours. This allowance will not be paid in respect of meal breaks or for ordinary duty performed on weekends.

S1.2.1.3 Additional leave

- (a) Employees will accrue one day's leave for each completed week (7 days, consisting of 24 hour periods) that such employees are away from the vessel's port of departure. Where the period is greater than 1 week, any further period of less than a completed week is to be calculated on a *pro rata* basis of 1 hour for each day spent away in excess of 7 days (e.g. 10 day patrol = 1 day 3 hours leave):
- (b) The calculation of the entitlement commences immediately the vessel departs a port and ceases:
 - (i) when the vessel returns to the port of departure; or
 - (ii) an officer departs the vessel at another port after completing a voyage; or
 - (iii) at the conclusion of a **security watch** immediately following and in conjunction with a voyage.

security watch means the event where an officer or officers are required to maintain duties on board a vessel to maintain the vessel's security, safety and integrity whilst away from its home port.
- (c) Such additional leave is to be taken by mutual consent within 12 months of the date of completion of the period of offshore surveillance duty when the entitlement accrued.

S1.2.1.4 Hours of duty

- (a) The ordinary hours of duty shall be an average of 38 hours per week, to be worked on the basis of 152 hours within a work cycle not exceeding 28 consecutive days.
- (b) The ordinary hours of duty, including starting and finishing times, will be specified in a roster prepared by the district officer.
- (c) The ordinary starting and finishing times of individual employees within a district may be staggered as determined by the district officer.
- (d) Starting and finishing times of rostered hours may be altered by the district officer to cater for the needs of the patrol, geographic, safety, or climatic conditions. The district officer will give 24 hours' notice of this change or, if less, as mutually agreed.
- (e)
 - (i) An employee will be allowed two whole consecutive days off in each week. In lieu of two whole days off in each week an employee may be allowed in each fortnightly period either one day off in one week and three consecutive days off in the other week or four consecutive days off.
 - (ii) One day off at the end of one week and one at the beginning of the following week will be counted as meeting the requirements of clause S1.2.1.4(e)(i).
- (f) For the purposes of clause S1.2.1.4, **district officer** will mean the district officer, district manager, district operations officer, senior field officer or senior response officer.

S1.2.2 Forestry officers required to perform additional duties during the fire season

The following additional conditions apply to public service officers and temporary employees engaged by Forestry who are instructed to perform work outside of ordinary hours on fire fighting and support duties directly associated with firefighting. Such duties include patrol at the face of a fire, air observer work, fire patrol and investigation work, repair and servicing of equipment when it is being used for firefighting and operating communication equipment in the office or in the field.

S1.2.2.1 Meal times

- (a) An officer who is instructed to commence work more than 2 hours before the ordinary commencing time shall be allowed 30 minutes for breakfast in the employer's time provided the officer resumes work at the end of such half hour.
- (b) An officer who is instructed to work for more than 1 hour after the ordinary ceasing time shall be allowed a 30 minute break in the employer's time for a meal after the expiration of one hour, and a 45 minute break in the employee's time after each further 4 hours worked.
- (c) An officer required to perform overtime after completing the ordinary hours and having left the job site shall be allowed a meal break of 45 minutes in the employer's time after each 4 hours worked.
- (d) An officer, other than an officer performing duty on communication equipment or performing other support duties in the office, who is instructed to work during the ordinary meal times shall be paid at the rate of double time until allowed the usual time for a meal break.
- (e) An officer performing duty on communication equipment or performing other support duties in the office when instructed to work during the ordinary meal times shall be allowed a crib break of 30 minutes, to be taken at a time that will not interfere with the continuity of work where continuity is necessary, for which no deduction of pay shall be made.
 - (i) An officer instructed to work overtime on Saturday or Sunday beyond the fifth hour of such overtime shall be entitled to an unpaid meal break of 30 minutes.
 - (ii) Should an officer be instructed to continue such overtime beyond 9 hours the officer shall be entitled to a further break of 30 minutes. After each further 4 hours of overtime the officer shall be entitled to a 45 minute break for which no deduction of pay shall be made provided that the officer is required to continue working thereafter.
- (f) Each officer shall be provided with a reasonable meal by the employer at the times mentioned in clauses S1.2.2.1(a) to (e) or shall be paid a meal allowance at the rate prescribed in clause 13.10(a) on each occasion a meal is not provided.

S1.2.2.2 On call

Where officers are instructed to remain on standby in case of fire they shall be compensated as follows:

- (a) Officers required to remain "on call" at home on weekends and public holidays shall be allowed time off in lieu on the basis of 50% of actual time the officer remains "on call".
- (b) Officers holding themselves available in departmental premises, in an on call situation, on a Saturday, a Sunday or a public holiday shall be entitled to equivalent time off.

S1.2.2.3 Weekend work

All officers who perform additional duties during a fire season shall, except in cases of a serious fire emergency, have an average of 1 weekend in 3 entirely free from duty.

Schedule 1 - Section 3 - Department of Transport and Main Roads

S1.3.1 Transport inspectors

The following arrangements apply to transport inspectors who work ordinary hours on other than a day work basis:

S1.3.1.1 Shift rostering principles

- (a) Employees will be provided with 2 consecutive days off in every 7. Where the roster provides for 10 consecutive days, a 4 day break applies. The shift preceding a rest day shall finish at 12 midnight at the latest. The next rostered working day will not commence any earlier than 12 midnight 48 hours later. Rosters of this nature will only be programmed in exceptional circumstances.
- (b) Overtime shifts/changes of duty may be worked by consent after a break of one whole day subject to other guidelines being observed.
- (c) Rosters are not to provide for a permanent night shift. A night shift will commence after 1800 and before midnight.
- (d) During a rostered period there will be no more than a 6 hour variance between the shift commencement time on the first day of the rostered period and the last day of the rostered period. This will apply unless there is a day off between shifts or an operational gap as prescribed at S1.3.1.1(e). In addition there will be no more than a 2 hour variance between shift start times from one day to the next.
- (e) There shall be an allowable one operational gap per roster cycle. An operational gap is constituted by a shift variance from one shift to the next of more than 6 hours.
- (f) Where an employee works an overtime shift or part shift at their request which results in there being less than 10 hours break from the end of overtime and the beginning of the next rostered shift, that next ordinary rostered shift will be paid at ordinary rates.

S1.3.1.2 Night work allowance

An allowance of 5% of the hourly rate of pay for transport inspectors and senior transport inspectors will be paid for ordinary hours worked between 2200 and 0600 Monday to Friday. The allowance will not apply to work performed on weekends. This allowance is in addition to the normal 15% shift penalty for shift work that commences outside the hours 0600 to 1000 Monday to Friday.

S1.3.1.3 Hours of duty

Hours of duty will be 76 hours per fortnight worked in accordance with clauses 15.1(b), (c), (d) and (e) with a paid meal break of 30 minutes. Overtime shall be paid at the rate of double time for work performed outside the rostered hours of duty during the rostered working week.

Schedule 1 - Section 4 - Queensland Fire and Emergency Services (QFES)

S1.4.1 Emergency Services Employees

The following conditions apply to all employees engaged in the Emergency Management Directorate (excluding Watch Desk Officers as appointed by the Commissioner of QFES (see clause S1.4.3)); Community Engagement Officers; Emergency Management Coordinators and State Emergency Service Staff.

S1.4.1.1 Principles

- (a) These hours of duty provisions are to be applied to meet the operational requirements of QFES while recognising the needs of employees for a fulfilled life inside and outside their employment. A major intention of these arrangements is to enable the flexible working of hours to:
 - (i) maximise work/life balance;
 - (ii) ensure operational coverage;
 - (iii) ease traffic congestion; and
 - (iv) ensure meaningful work is provided.
- (b) The management of hours worked (including accrued time off and time-off in lieu of overtime (TOIL)) shall be a local matter with the responsibility resting with managers to determine in consultation with employees.
- (c) Managers are expected to ensure that employees' work loads are properly managed and that every opportunity is provided to employees to avoid losing accrued time and/or TOIL.

S1.4.1.2 Hours of duty

- (a) Except as provided elsewhere in clause S1.4.1, the ordinary hours of duty shall be performed in accordance with Schedule 3, Section 1 of this Award. The ordinary hours of duty shall be an average of 72.5 hours per fortnight exclusive of meal times worked over two x 10 day fortnights Monday to Sunday in four week work cycles, and shall be performed within an ordinary spread of hours of 0600 to 2200. Ordinary hours of duty shall be exclusive of meal times and shall not exceed 9.5 hours per day to be worked within the ordinary spread of hours.
- (b) Employees and managers will negotiate agreement on ordinary working hours in order to meet operational requirements and the employee's work/life balance.
- (c) In the event that agreement cannot be reached, managers may direct starting or ceasing times of employees within the spread of hours based on operational requirements and having regard to work/life balance principles.
- (d) A minimum of two full weekends shall be free of any ordinary hours work in each four week period with a minimum of five nights (i.e. after 1800) free of ordinary hours work in each fortnight.

S1.4.1.3 Accrued time

- (a) An employee may accrue time during a work cycle, provided that additional hours are performed to meet operational requirements and are approved by the employee's manager. Accrued time shall be calculated in 15 minute intervals.

- (b) An employee may carry over up to 36.25 hours of accrued time from one work cycle to the next work cycle. The manager of a work unit may authorise a carry over in excess of 36.25 hours in circumstances where the manager deems it appropriate. Any time in excess of the authorised carry over at the end of a four week work cycle shall be forfeited.
- (c) Accrued time off may only be taken with the prior approval of the manager of the work unit. Accrued time may be taken as part days or full days.
- (d) In accordance with clause 15.6 of this Award, employees are to have access to at least one full accrued day off per month.
- (e) Accrued time must be taken prior to cessation of employment as no payment will be made for unused accrued time. Managers shall not unreasonably prevent an employee from taking accrued time immediately prior to the cessation of employment.
- (f) The Commissioner of QFES or delegate may direct an employee to work standard hours where that employee's time management is unsatisfactory. Any authorised time worked by that employee in excess of the standard hours will be compensated for in accordance with clause 18 of this Award.

S1.4.1.4 Work performed on weekends and public holidays

Ordinary hours worked on Saturdays, Sundays and public holidays, up to the maximum of 9.5 hours per day, will attract the appropriate penalty rates as prescribed in clauses 15.4, 15.5 and 23 of this Award.

S1.4.1.5 Shift penalties

An employee directed to work hours:

- (a) during the spread of ordinary hours that is provided for in clause S1.4.1.2; and
- (b) that would constitute an afternoon shift as defined by clause 3 of this Award,

shall be entitled to payment of a shift allowance in accordance with clause 15.5 of this Award.

S1.4.1.6 Overtime

- (a) Overtime is any authorised work which is performed within the daily spread of ordinary hours and exceeds 9.5 hours or is authorised work performed outside the ordinary spread of hours.
- (b) Employees shall work reasonable overtime whenever necessary in the opinion of the Commissioner of QFES (or delegate), with 24 hours' notice being given, where practicable, to an employee required to work overtime. Family responsibilities are to be considered when directing employees to work overtime.
- (c) Except as otherwise specified in these arrangements, payment for overtime shall only be made in accordance with clause 18 of this Award.
- (d) Those employees below the overtime cut-off limit specified at clause 18.1 of this Award shall either be paid for authorised overtime **or**, at the election of the employee, compensated by the granting of equivalent time off in lieu on a time for time basis. Where equivalent time off in lieu is granted, such time off is to be taken at a time convenient to the employer and the employee and within 12 months of the date overtime was worked. Where agreement cannot be reached, the Commissioner of QFES (or delegate) may direct the employee when the time off is to be taken. Unused time off in lieu will be paid out at ordinary rates after 12 months from the date overtime was worked where:

- (i) an employee has taken reasonable steps to avoid excessive TOIL balances; and
- (ii) the employee has been refused an application to take such time off.

S1.4.1.7 On call

Employees instructed to be on call by the Commissioner of QFES or delegate shall be paid an on-call allowance in accordance with clause 18.7 of this Award. Where practical, the Commissioner of QFES will not require an employee to be available on call for a period in excess of 6 consecutive weeks with a minimum break of 4 weeks between rostered on call periods.

S1.4.1.8 Attendance records

- (a) All permanent and temporary employees (excluding employees otherwise exempted) are responsible for complying with these arrangements which includes accurately recording starting and finishing times, meal breaks and periods of leave.
- (b) A hard copy of the attendance record shall be signed by the employee and forwarded to their immediate supervisor for checking and endorsement (by signature), within one week of the end of each fortnight.
- (c) A hard copy of all attendance records shall be stored in the local work area. Current and stored attendance records shall be available for checking by authorised persons including officers from Public Safety Business Agency Human Resources Division and Internal Audit Unit. Attendance records shall be maintained for all relevant employees for a period of six years.

S1.4.2 Critical Incident and Activations, Emergency Services Employees

The following conditions apply to all employees engaged in the Emergency Management Directorate (excluding Watch Desk Officers as appointed by the Commissioner of QFES (see clause S1.4.3)); Community Engagement Officers; Emergency Management Coordinators and State Emergency Service Staff. These arrangements may also be applied to those public service employees of QFES and other government agencies covered by this Award who are directed to assist in activations made by the Commissioner of QFES (or delegate).

S1.4.2.1 Critical incident and activations refers to:

- a critical incident situation as determined to exist by the Minister responsible for emergency services or the Commissioner of QFES, or as declared under the *Disaster Management Act 2003*, the *Public Health Act 2005*, the *State Transport Act 1938* or the *Public Safety Preservation Act 1986*; or
- where the Commissioner of QFES declares an Emergency Services activation.

S1.4.2.2 Meal breaks

- (a) Employees engaged on critical incidents or activations are entitled to meal break/s as follows:
 - (i) one meal break of 30 minutes duration for an employee who works more than 5 hours but less than 12.5 hours in any one day; or
 - (ii) two meal breaks of 30 minutes duration for an employee who works 12.5 hours or more in any one day.
- (b) Where it is mutually agreed between a manager and an employee, that in order to maintain continuity of work, the hours of duty may be inclusive of meal times. Where this occurs no deduction will be made from the employee's salary.

S1.4.2.3 Rest pauses

- (a) Employees engaged on critical incidents or activations are entitled to rest pause/s as follows:
 - (i) a total of 10 minutes for an employee who works for more than 3 hours but less than 6 hours on any one day; or
 - (ii) a total of 20 minutes for an employee who works for more than 6 hours but less than 12.5 hours on any one day; or
 - (iii) a total of 30 minutes for an employee who works 12.5 hours or more on any one day.
- (b) Such rest pauses are to be taken at such times as will not interfere with the continuity of work where such continuity is necessary.

S1.4.2.4 Travelling time

Employees engaged on critical incidents or activations who:

- (a) are absent from headquarters overnight; and
- (b) reside in temporary accommodation; and
- (c) travel between the temporary accommodation and temporary headquarters,

shall have all such travel time recognised as working time for the purpose of ordinary hours and overtime.

S1.4.2.5 Fatigue management

Starting and ceasing times of employees engaged on critical incidents or activations shall be arranged to ensure that the fatigue break prescribed by clause 18.9 of this Award is given effect. That is, employees shall have a break of at least 10 consecutive hours between the cessation of work (ordinary hours or substantial periods of overtime) on one day and the commencement of ordinary work on the next day. In cases where employees, on the instruction of the Commissioner of QFES (or delegate), are required to resume or continue work without a 10 hour break the penalty provisions of the Award shall have application. These provisions shall continue to apply after the conclusion of an activation until return to normal duties.

S1.4.3 Watch Desk Officers

The following conditions apply to Watch Desk Officers (as appointed by the Commissioner of QFES) engaged in the Emergency Management Directorate.

S1.4.3.1 General

Watch Desk Officers are rostered to perform duties in the State Disaster Coordination Centre, Kedron.

S1.4.3.2 Hours of duty

- (a) The ordinary hours of duty shall be performed in accordance with Schedule 3, Section 1 of this Award. The ordinary hours of duty for Watch Desk Officers working shift work shall average 36.25 hours per week, Monday to Sunday, over a 28 day roster cycle. The ordinary hours of duty, inclusive of meal times, will not exceed 12 hours and 5 minutes per day. Officers will be entitled to a paid meal break of 30 minutes duration, plus a total of 20 minutes for rest pauses, during each shift.

- (b) Changes to these hours may occur from time to time due to organisational requirements.
- (c) All other hours of duty conditions shall be in accordance with the relevant provisions of this Award.

S1.4.3.3 Work performed on weekends and public holidays

Ordinary hours worked on Saturdays, Sundays and public holidays, up to the maximum of 12 hours and 5 minutes per day, will attract the appropriate penalty rates as prescribed at clauses 15.5 and 23 of this Award.

S1.4.3.4 Overtime

All overtime shall be paid for in accordance with clause 18.3 of this Award.

Schedule 2 - Supported Wage System

S2.1 This Schedule defines the conditions which will apply to employees who because of the effects of a disability are eligible for a supported wage under the supported wage system.

S2.2 Definitions - In this Schedule:

approved assessor means a person accredited by the management unit established by the Commonwealth under the supported wage system to perform assessments of an individual's productive capacity within the supported wage system

assessment instrument means the tool provided for under the supported wage system that records the assessment of the productive capacity of the person to be employed under the supported wage system

disability support pension means the Commonwealth pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991* (Cth), or any successor to that scheme

relevant minimum wage means the minimum wage prescribed in this Award for the class of work for which an employee is engaged

supported wage system (sws) means the Commonwealth Government system to promote employment for people who cannot work at full Award wages because of a disability, as documented in the Supported Wage System Handbook. The Handbook is available from the following website: www.jobaccess.gov.au

sws wage assessment agreement means the document in the form required by the Department of Social Services that records the employee's productive capacity and agreed wage rate

S2.3 Eligibility criteria

- (a) Employees covered by this Schedule will be those who are unable to perform the range of duties to the competence level required within the class of work for which the employee is engaged under this Award, because of the effects of a disability on their productive capacity, and who meet the impairment criteria for receipt of a disability support pension.
- (b) This Schedule does not apply to any existing employee who has a claim against the employer which is subject to the provisions of the *Workers' Compensation and Rehabilitation Act 2003*.

S2.4 Supported wage rates

- (a) Employees to whom this Schedule applies will be paid the applicable percentage of the relevant minimum wage according to the following Table and Note:

Assessed capacity (see below)	Relevant minimum wage*
10%	10%
20%	20%
30%	30%
40%	40%
50%	50%
60%	60%
70%	70%
80%	80%
90%	90%

*Note: The minimum amount payable to an employee receiving a supported wage must not be less than \$86 per week.

- (b) Where an employee's assessed capacity is 10%, the employee must receive a high degree of assistance and support.

S2.5 Assessment of capacity

- (a) For the purpose of establishing the percentage of the relevant minimum wage, the productive capacity of the employee will be assessed in accordance with the sws by an approved assessor, having consulted the employer and employee and, if the employee so desires, a union which the employee is eligible to join.
- (b) All assessments made under this Schedule must be documented in a sws wage assessment agreement, and retained by the employer as a time and wages record in accordance with the Act.

S2.6 Review of assessment

The assessment of the applicable percentage should be subject to annual or more frequent review on the basis of a reasonable request for such a review. The process of review must be in accordance with the procedures for assessing capacity under the sws.

S2.7 Other terms and conditions of employment

Where an assessment has been made, the applicable percentage will apply to the relevant minimum wage only. Employees covered by the provisions of this Schedule will be entitled to the same terms and conditions of employment as other workers covered by this Award on a *pro rata* basis.

S2.8 Workplace adjustment

If the employer wishes to employ a person under the provisions of this Schedule it must take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve re-design of job duties, working time arrangements and work organisation.

S2.9 Trial period

- (a) In order for an adequate assessment of the employee's capacity to be made, the employer may employ a person under the provisions of this Schedule for a trial period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding four weeks) may be needed.
- (b) During that trial period the assessment of capacity will be undertaken and the percentage of the relevant minimum wage for a continuing employment relationship will be determined.
- (c) The minimum amount payable to the employee during the trial period must be no less than the amount recorded in the Note under the Table (above).
- (d) Work trials should include induction or training as appropriate to the job being trialled.
- (e) Where the employer and employee wish to establish a continuing employment relationship following the completion of the trial period, a further contract of employment will be entered into based on the outcome of assessment (see **Assessment of capacity** - above).

Schedule 3 - Organisational Hours of Work Arrangements

Except for:

- (a) Employees of QRIDA - see Section 2 of this Schedule; and
- (b) School support staff employed by the Department of Education - see Section 3 of this Schedule,

the provisions of Section 1 of Schedule 3 apply to all eligible employees covered by this Award, where eligible employees has the meaning ascribed to it in clause 15.6.

Section 1 - Provisions of general application

S3.1.1 Purpose

- (a) The purpose of Section 1 of Schedule 3 is to provide a framework within which each department covered by this Award can introduce organisational (flexible) hours of work arrangements and related conditions of employment at a departmental or work unit level.
- (b) Section 1 of Schedule 3 has two objectives:
 - (i) to provide all eligible employees (see clause 15.6 of this Award) with access to accrued time off, including whole or part days, within each work cycle; and
 - (ii) to provide departments with increased flexibility by providing opportunities for supervisors to manage workflows in a manner which does not unnecessarily lead to employees being directed to work overtime.

S3.1.2 Method of introduction

The chief executive of each department is to ensure that organisational (flexible) hours of work arrangements are implemented in accordance with Section 1 of Schedule 3 at a departmental or work unit level and are tailored to provide employees with the opportunity to accrue time off in a manner which meets the operational and other client service needs of the department.

S3.1.3 Definitions

accrued time means:

- (a) ordinary hours performed in excess of the ordinary working hours of the employee; and
- (b) authorised overtime performed which is not compensated by the payment of overtime in accordance with clauses S3.1.4(i)(ii) and (iii).

accrued time off means an approved absence during which an employee is able to access previously accrued time

carry over balance means any accrued time not taken as paid time off (and debit time if included in the organisational hours of work arrangements) in one work cycle and which, subject to any specified limit/s, is carried over to the next work cycle

core time means the period during the day when all employees of a department or work unit are expected to be available to perform ordinary duty, unless they are absent on an approved lunch break, accrued time off or other authorised absence from duty

debit time means the amount of paid time off taken prior to the accrual of time in excess of the ordinary working hours prescribed in the department or work unit concerned

hours of work arrangements means those working arrangements introduced in accordance with Section 1 of Schedule 3 which are designed to give effect to the provisions of clause 15.6 and the purpose of Section 1 of Schedule 3, as recorded in clause S3.1.1

normal operating hours means the hours of operation of the department or work unit on any one day, within the spread of hours, within which employees will be authorised to commence and cease duty

ordinary working hours means 7.25 hours per day

standard hours means a standard 7.25 hours working day within the spread of ordinary hours (excluding the lunch break) e.g. 0900 to 1700 Mondays to Fridays, inclusive, with a lunch break of 45 minutes between 1200 and 1400; 0845 to 1630 Mondays to Fridays, inclusive, with a lunch break of 30 minutes between 1145 and 1445

supervisor means a person responsible for the daily supervision and operation of a work unit

travelling time means the difference between the time taken for an employee to travel as directed to an alternative place of work and the time taken for an employee to travel to their usual place of work

work cycle means a period of time specifying a number of consecutive days during which accrued time and approved leave will be accounted

work unit means an identifiable group of employees within a department

S3.1.4 Arrangements

- (a) (i) Hours of work arrangements in a department or work unit within the spread of ordinary hours prescribed in clause 15.3 will be determined by the chief executive after consultation with the affected employees.
- (ii) Within the spread of ordinary hours, the normal operating hours of a department or work unit are to be determined by the chief executive.
- (iii) Hours of work arrangements for each department or work unit are to be recorded in writing, advised to affected employees and written notification provided to the relevant union/s.
- (b) (i) Changes to an existing spread of ordinary hours and related new hours of work arrangements may be introduced in a department or work unit by agreement between the chief executive and the majority of employees affected and the relevant union/s.
- (ii) In reaching agreement, no party will unnecessarily delay the process or unreasonably withhold consent.
- (c) In any hours of work arrangements implemented in a department or work unit the ordinary hours of duty, exclusive of meal times, shall not exceed 9.5 hours per day to be worked within normal operating hours.
- (d) Accrued time off may only be taken with the prior approval of the relevant supervisor.
- (e) (i) Subject to clause S3.1.4(e)(ii), an employee will be required to accrue sufficient accrued time so as to allow that employee to take a part or full day (or longer period) as accrued time off.

- (ii) The hours of work arrangements in a department or work unit may permit an employee to avail of debit time up to a specified limit.
 - (iii) The chief executive may direct the starting and ceasing times of employees within the spread of ordinary hours.
 - (iv) In determining hours of duty, wherever practicable, the chief executive must:
 - (A) consult on the requirements to work specific hours before directing employees to work those hours;
 - (B) where the working of accrued time is not suitable to an employee on a given day, take into account whether other employees are available and competent to perform the work;
 - (C) take into account the needs of workers with family responsibilities or disabilities;
 - (D) provide timely notice of the requirement to work in excess of ordinary hours; and
 - (E) take into account the employee's current accumulation of accrued time.
 - (v) Before seeking to access accrued time off all employees will be expected to give first priority to the maintenance of acceptable work flows and ensure that co-operation exists with supervisors in planning office working times in order that resources are available to service the needs of the department/work unit and clients.
 - (vi) An employee may not perform accrued time unless work is allocated for the employee to perform and is performed.
 - (vii) It shall be the responsibility of each supervisor in respect to their work unit to ensure that the needs of the organisation and clients are met and appropriate supervision is available at all times. Supervisors are also responsible for ensuring that employees' workloads are properly managed and that employees are provided, subject to operational requirements, with the ability to take accrued time off in order to avoid forfeiting of accrued time in excess of any prescribed maximum carry over balance.
 - (viii) Subject to clauses S3.1.4(a) and S3.1.4(e)(vi), there shall be no limit to the number of hours that may be accrued during a work cycle.
 - (ix) An employee who resigns, retires or otherwise ceases employment should ensure that they have utilised all accrued time or made up any debit time prior to cessation of employment. Employees are not entitled to any compensation or payment for any accrued time not utilised as at date of cessation of employment. Any debit time accrued as at the date of cessation of employment shall be recoverable by the chief executive at ordinary rates and deducted from any monies owed at date of cessation of employment.
 - (x) Where an employee's time management is deemed to be unsatisfactory, the chief executive may direct the employee to work standard hours.
- (f) Organisational hours of work arrangements may include provision for the carry over of accrued time (and debit time if included in the arrangements) from one work cycle to the next.
- (g) Issues which may be considered for inclusion in hours of work arrangements may include, but are not necessarily limited to, the following:
- (i) spread of ordinary hours (including consideration of the spread of ordinary hours beyond those recorded in clause 15.3);

- (ii) work cycle;
 - (iii) core times;
 - (iv) maximum carry over balance from one work cycle to the next, provided that where a maximum balance is prescribed, it shall not be limited to an amount less than 5 days' accrual;
 - (v) access to accrued time off (provided that where a limit is prescribed for the amount of accrued time off in a work cycle, such a limitation shall not be less than 3 days, to be taken either consecutively or separately); and
 - (vi) weekend overtime accrual, specifically accrual factor/s referred to in clause S3.1.4(i)(iii).
- (h) Travelling time other than authorised overtime, performed by employees in excess of the ordinary working hours but within the 9.5 hours of duty permitted in clause S3.1.4(c), will be recognised as accrued time on a time for time basis. Any travelling time undertaken outside the 9.5 hours of duty permitted in clause S3.1.4(c) shall be compensated at normal rates or as time off in lieu.
- (i) (i) As part of the hours of work arrangements, employees may perform authorised work outside the spread of ordinary hours or in excess of 9.5 hours exclusive of meal breaks on any one day.
- (ii) Employees who by mutual agreement with the relevant supervisor perform work as outlined in clause S3.1.4(i)(i) on Mondays to Fridays will, by mutual agreement with the supervisor, be compensated either by paid overtime at the rate prescribed in clause 18 of this Award or have such time accrued on a time for time basis.
- (iii) Where such overtime is performed on a Saturday or a Sunday, the overtime shall be compensated by paid overtime at the rate prescribed in clause 18.2 **or** where the employee and the relevant supervisor agree, have such time accrue on a time for time basis or such other factor as prescribed in the organisational hours of work arrangements.
- (iv) All ordinary work performed on a public holiday shall be compensated in accordance with clause 23.
- (v) All overtime accrued under the hours of work arrangements shall comply with minimum period provisions prescribed in clause 18.2.
- (vi) When applying clause S3.1.4(i), genuine consultation is to occur between the relevant supervisor and employees free from duress.
- (vii) Where agreement to accrue authorised overtime under hours of work arrangements is not reached, such overtime shall be compensated by paid overtime at the appropriate overtime rate prescribed elsewhere in this Award.
- (viii) Clause S3.1.4(i) does not apply to employees in receipt of ordinary salary that exceeds the equivalent of the AO5(4) salary, to whom the directive about overtime applies and who are compensated for overtime in accordance with clauses 18.1(b) or (c).

Schedule 3 - Section 2 - QRIDA

The following flexible working arrangements apply to all employees of QRIDA.

S3.2.1 Flexible working arrangements

- (a) The following flexible arrangements are designed to increase the efficiency and productivity of QRIDA by providing the most suitable working arrangements for performing a particular task or operation without unreasonably disadvantaging employees.
- (b) Flexible arrangements are subject to employees being engaged in normal work programs, which are mutually agreed upon by a general manager and the employee.
- (c) The arrangements are to be programmed to meet the productivity, efficiency and service delivery requirements of the employer and, at the same time, should be consistent with the employer's responsibilities to provide a safe and healthy working environment for employees.

S3.2.2 Standard day

A **standard day** shall be 7.25 hours working time exclusive of a meal period.

S3.2.3 Span of hours

- (a) The **span of hours** is the earliest commencement time and the latest ceasing time permissible for ordinary work and shall be between 0700 and 1800 Monday to Friday, inclusive.
- (b) **Credit time** within the span of hours can be authorised at a general manager's discretion.
- (c) Any work performed outside the span of hours must have the prior approval of a general manager.

S3.2.4 Core times

Core times are the periods during the day when all employees shall perform ordinary duties and shall be between 0930 to 1200 and 1400 to 1600 Monday to Friday, inclusive.

S3.2.5 Variable periods

Variable periods are the time spans outside the core times and within the span of hours. Starting and ceasing time of employees shall be the actual time of commencement of work and finish, calculated to the nearest quarter of an hour.

S3.2.6 Maximum hours

An employee shall not work more than 10 hours during the span of hours on any one day unless performing overtime, as authorised by the general manager of that section. Any time worked in excess of the agreed total hours during the span of hours on any one day other than authorised overtime shall not be counted as working time.

S3.2.7 Minimum hours

An employee shall work a standard day within the span of hours unless taking prior authorised flexitime leave.

S3.2.8 Credit time

- (a) **Credit time** is the difference between a standard day and the time mutually agreed between an employee and their manager/supervisor which is in excess of a standard day during which an employee performs ordinary work.
- (b) Managers/supervisors are not to allow more than the equivalent of 3 working days to be accumulated.
- (c) Time off using credit time shall be taken at no more than two consecutive days at a time and at operational convenience, unless otherwise approved by a general manager. An employee may use one day of available credit time at the beginning and at the end of approved paid leave to reduce accumulated credit time by two days. Credit time is to be accumulated in minimum one-quarter hour periods. An employee who resigns, retires, or otherwise ceases duty shall ensure that no credit time is possessed at the time of cessation of duty.

S3.2.9 Debit time

- (a) **Debit time** is the difference between standard hours and the time actually worked less than standard hours during which the employee performs ordinary work.
- (b) Debit time is to be used as a safety net in times of emergency and at a general manager's discretion.
- (c) An employee shall not accumulate debit time in excess of 7.25 hours. An employee who resigns, retires, or otherwise ceases duty shall ensure that no debit time is owed at the time of cessation of duty.

Schedule 3 - Section 3 - Department of Education (DoE)

S3.3 Accumulated day/s off arrangements for school support staff

S3.3.1 Coverage

These arrangements cover permanent (including part-time permanent) and full-time temporary administrative officers and other support staff employed in state secondary schools, primary schools and special schools and including, without being exhaustive: business services managers, administrative officers, science operations officers, physiotherapists, occupational therapists, education program officers and speech-language pathologists, for whom rates of salary are prescribed in this Award.

S3.3.2 Working arrangements

- (a) An accumulated day/s off (ADO) arrangement shall operate on the basis of a calendar year cycle;
- (b) the employer and all employees concerned in each school shall consult over the most appropriate means of implementing hours of duty arrangements;
- (c) the objective of such consultation shall be to reach agreement on the method of implementing hours of duty arrangements in accordance with these arrangements;
- (d) the outcome of such consultation shall be recorded in writing;
- (e) where these arrangements provide that hours of duty arrangements shall be agreed between the parties, such agreement shall not be unreasonably withheld by either party; and
- (f) in determining hours of duty, wherever practicable, the employer shall:
 - (i) consult on the requirement to work specific hours before directing an employee to work those hours;
 - (ii) where the working of particular hours is not suitable to an employee on a given day, take into account whether other staff are available and competent to perform this work;
 - (iii) take into account the needs of workers with family responsibilities or disabilities;
 - (iv) provide timely notice of the requirement to work in excess of ordinary hours; and
 - (v) take into account the employees' current levels of accumulated time.

S3.3.3 Grievance procedures

All grievances in respect to the accumulated days off arrangements shall be dealt with in accordance with clause 7.1 of this Award.

S3.3.4 Definitions

ordinary hours means 7.25 hours worked in any one day, Monday to Friday, inclusive

accumulated time means the time worked in excess of ordinary hours on any day, up to 9.5 hours, within the daily spread of hours

accumulated day off means a day taken between Monday and Friday, without debit to any leave account, by accessing accumulated time in multiples of 7.25 hours

hours of duty means the hours determined by negotiation during which employees may work, to a maximum of 9.5 hours per day

employer means the Director-General of DoE or the principal of a school or a school support centre coordinator acting as the delegate of the Director-General in facilitating the implementation of these arrangements where the context so demands

spread of hours means time worked between 0600 and 1800 Monday to Friday, inclusive

temporary employee means any employee engaged pursuant to section 148 of the *Public Service Act 2008* for fixed periods of one school term or greater

S3.3.5 Conditions of accumulated day/s off

- (a) Ordinary hours of work shall be worked between the hours of 0600 and 1800, Monday to Friday, inclusive;
- (b) the maximum number of ordinary hours to be worked on any one day shall not exceed 9.5 hours exclusive of meal breaks to be worked within the spread of hours prescribed in clause S3.3.5(a);
- (c) authorised work performed in excess of 9.5 hours exclusive of meal breaks on any one day, on weekends, on public holidays (or days in lieu of public holidays) and recalls to work will be recognised as overtime;
- (d) meal break - all employees shall take an unpaid lunch break of not less than 30 minutes duration between the third and sixth hours of daily duty;
- (e) rest pauses - a rest pause/s totalling 20 minutes duration per day in the employer's time shall be allowed to each employee at a time to suit operational requirements as determined by the employer;
- (f) the employer must ensure an employee who resigns, retires or otherwise ceases duty has utilised all accumulated time upon cessation of duty;
- (g) accumulated time which an employee has accrued shall, at the defined school vacation periods, be available to be taken without debit to annual leave on the following basis:
 - (i) April vacation period - 2 days (maximum);
 - (ii) June vacation period - 5 days (maximum);
 - (iii) September vacation period - 5 days (maximum).
- (h) accumulated time shall only be granted to employees when it has been accrued;
- (i) employees shall not accumulate in excess of 36.25 hours at any one time or, for part-time employees, a *pro rata* equivalent of this period. Except where extenuating circumstances exist, all time worked beyond these periods shall not be recognised for the purposes of accumulated time and no continuing credit shall be given for time not availed of during the nominated school vacation period; and
- (j) employees who commence duty during a school term shall only be eligible for accumulated time based upon time accrued prior to the relevant school vacation period.

Schedule 4 - Generic Level Statements - Administrative Stream

Administrative Officer level 1 (AO1)

Work level description

Work at this level usually involves a combination of keyboard, clerical and other duties requiring the application of basic office skills and routines.

Characteristics of the work

Performed under close direction using established routines, methods and procedures with little scope for deviating from these.

Problems can usually be solved by reference to procedures, well documented methods and instructions. Initially direct guidance is given when problems arise. Ready access to advice and assistance is available.

The work may involve giving technical and procedural advice to other staff (for example relating to the operation of office equipment used in the work area). It may require the acquisition of knowledge and specific procedures, instructions, regulations or other requirements relating to general administration (e.g. personnel or finance operations) and/or specific office programs and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

As individual employees develop more experience and knowledge they will be required to exercise greater judgement and make decisions in their allocated duties, although these will be confined by instructions, established practices and procedures of written guidelines.

Duties and skills

Work at this level may progressively involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

Entry to this level is either by commencement of a traineeship or through selection based on standardised vocational testing.

Administrative Officer level 2 (AO2)

Work level description

Work at this level usually encompasses a range or combination of administrative activities and operations which require the application of skills and experience in administrative/clerical work and a general knowledge of the work to be performed.

The work will involve achieving clearly defined and established outcomes and/or basic problem solving within guidelines and contributing knowledge or skills or information specific to the work of the agency.

Characteristics of the work

Work is usually performed under close supervision and may involve undertaking a range of duties requiring judgement, liaison and communication within an agency and with other interested parties.

The solution of problems may require the exercising of basic judgement, although knowledge required to perform work is usually related to precedents, guidelines, procedures, regulations and instructions and from senior staff. It may require some knowledge and application of specific procedures, instructions, regulations or other requirements relating to general administration and activities.

Work at this level does not include supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

Duties and skills

Knowledge required to perform work is usually related to guidelines, instructions and procedures relevant to the function of the level.

Familiarity with the functions of related work areas and of relationships between organisational elements may be required.

At this level, basic resolution of problems by reference to established procedures may be required.

Work at this level may involve an employee in a range of activities requiring the use of written and numeric skills, clerical skills, written and verbal communication, equipment skills (e.g. keyboard) and other work skills appropriate to the discipline. These skills should be readily transferable between organisations.

The minimum skills required for entry to this level are as defined in the traineeship curriculum or through standardised vocational testing.

Administrative Officer level 3 (AO3)

Work level description

Work at this level usually requires relevant experience combined with a broad knowledge of the office's functions and activities and a sound knowledge of the major activity performed within the work area. The work may include preparing preliminary reports, papers and correspondence which usually relate to a specific organisational function or discipline, providing or interpreting information for clients or other interested parties and general administrative support to senior officers.

Supervisory responsibilities may involve some complex operational work and may involve assisting with, or reviewing the work undertaken by, subordinates or team members.

Scope exists for exercising initiative in the application of established work practices and procedures although this level may require expertise to resolve issues within a day-to-day environment for which there may not be clearly established procedures.

Effective judgement and work organisation skills are required which have been acquired through previous experience, demonstrated capacity or post secondary education or partial completion of same.

Characteristics of the work

Work is usually performed under general direction and may involve preparing papers, briefing notes, correspondence or other written material.

Decisions made or delegations exercised at this level may have an impact on the relevant agency's operations, but are normally of limited procedural or administrative importance.

Work at this level may include responsibility for training, involvement in working with staff to develop work performance, planning and co-ordinating tasks and work flow.

Duties and skills

Work at this level requires a sound knowledge of the activities usually performed within the work area and their impact upon the activities of other organisations.

Supervisory responsibilities include on-the-job training and staff assessment and performance counselling in relation to the work area. This level usually requires the application of personnel-related functions such as orientation of staff, staff attendance and recommendation of leave arrangements, written and verbal communication, interpretation and liaison skills to solve basic problems together with interpersonal skills to deal with non-routine matters and analytical abilities appropriate to the work area.

Administrative officer level 4 (AO4)

Work level description

Work at this level is usually performed in relation to established priorities, task methodology and work practices to achieve results in line with the corporate goals of the office.

The work may include preparing papers and reports, drafting complex correspondence for senior officers, undertaking activities of a specialist or detailed nature, assisting in the preparation of procedural guidelines, providing, interpreting and analysing information for clients or other interested parties, exercising specific process responsibilities, and overseeing and co-ordinating the work of subordinate staff.

Work at this level includes supervision of a work group small work area or office within the total organisational structure and co-ordination of a range of office functions.

Characteristics of the work

Work is performed under general direction as to work priorities and may be of a technical or professional, project, procedural or processing nature, or a combination of these.

Direction exercised over work performed at this level may be less direct than at lower levels and is usually related to task methodologies and work practices. Staff would be expected to set priorities and to monitor work flow in the area of responsibility.

The work at this level requires the application of knowledge usually gained through previous experience in the discipline or from post secondary or tertiary study. The work may require the co-ordination of a range of office functions and the exercising of judgement and/or delegated authority in areas where precedents or procedures are not clearly defined.

Independent action may be exercised at this level, particularly in local office situations, for example, developing local procedures, management strategies and guidelines.

Any decisions taken or delegations exercised would be limited by the application of rules, regulations, guidelines or procedures.

The extent of supervisory responsibility would depend on the operational work of the area and factors such as work priorities, complexity of the work and the number of subordinate staff.

Duties and skills

Work performed at this level will require the ability to supervise staff, set priorities, monitor work flow and develop local strategies or work practices.

This may include responsibility for the development of appropriate training programmes related to group development, application of equal employment opportunity, industrial relations principles and an

awareness of occupational health and safety guidelines and principles. Staff assessment and counselling may involve providing advice in relation to personal and career development relating to work requirements.

Liaison and communication skills and the capacity to negotiate may be required, particularly for activities involving liaison or communication with clients or other interested groups.

Work at this level requires general knowledge of the office's operations, combined with a specialist knowledge of major activities within the work area.

In program, activity or service delivery areas staff should have the knowledge to interpret and apply standard policies, specific procedures and regulations or other guideline material to specific situations. They should be able to disseminate information about the office's operations particularly in relation to policy aspects or program, activity or service delivery to clients.

Work at this level may require the ability to investigate, interpret or evaluate information where legislation, regulations, instructions or procedural guidelines do not give adequate or specific answers.

Administrative officer level 5 (AO5)

Work level description

Work at this level may include a variety of functions as follows:

- managing the operations of a discrete organisational element, program or activity; or
- the operations of an organisational element which is part of a larger office within the total organisational structure; or
- under limited direction in relation to priorities and work practices, providing administrative support to a particular program, activity or administrative function and consultancy service to external organisations; or
- providing subject matter expertise or policy advice across a range of programs or activities undertaken by the agency.

Work at this level may include the preparation of documentation for complex correspondence purposes and for decision by senior officers.

Responsibilities may include liaison and co-ordination within and across functions including office representation and overseeing and co-ordinating the work of other staff assisting in this area.

Work at this level may include operation within a number of specialist or multi-disciplinary teams or independently.

Characteristics of the work

Work is usually performed under limited direction as to work priorities and the detailed conduct of the task.

Direction exercised over work performance at this level includes, depending on the functional role required, the provision of advice, guidance and/or direction in relation to a project, detailed processing, and other work practices.

Independent action may be exercised within constraints set by senior management.

Any decision taken or delegation exercised tends to be governed by the application of rules, regulations or office operating instructions or procedures. While such decisions may impact on Office operations and resources, they are usually limited to the specific work area involved.

Managerial responsibilities would usually depend on the specific activities undertaken. Staff at this level would be expected to set and achieve priorities, monitor work flow and/or manage staffing resources to meet objectives.

Duties and skills

Work at this level requires a knowledge of office operations and the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

Work at this level may require:

- the ability to investigate, analyse, interpret or evaluate information for the guidance of staff or clients, or undertake research in relation to technical matters.
- well developed liaison and communication skills and the ability to negotiate with clients or other interested parties, within parameters decided by senior management.
- significant managerial ability, including the ability to supervise staff, set priorities, monitor work flow, develop local strategies, procedures and work practices, and allocate resources.

This includes demonstrated personnel management skills, the ability to apply equal employment opportunity principles and procedures and industrial relations principles and occupational health and safety guidelines.

Responsibility for the identification of training needs and the development of appropriate training programmes for the work unit may be undertaken at this level.

Administrative officer level 6 (AO6)

Work level description

Work at this level may involve providing advice including policy, administrative, or specialist; undertaking work related to the management or administration of a program or activity; service delivery or corporate support functions, including project work and work policy development; preparation or co-ordination of research papers, submissions on policy, technical, professional or program issues, or administrative matters.

Liaison with other elements of the organisation, other government agencies, local authorities or community organisations is usually a feature.

Work also includes the preparation, or overseeing the preparation, of correspondence and replies to Parliamentary Questions, Ministerial representations and other briefing material; and representing the office at meetings, conferences or seminars. Management of diverse occupational groups may be required of this level.

Characteristics of the work

Work is undertaken at this level with limited direction as to work priorities and the detailed conduct of the task. The tasks undertaken may be of a complex or specific nature encompassing a major area of office operations.

Direction exercised over work performed at this level may, depending on the function role required, be by way of providing general guidance and advice.

Work at this level may involve control and/or co-ordination of projects or programs within the office in accordance with corporate goals, and requires the development, implementation and evaluation of office activities.

Work at this level may involve independence of action including the use and allocation of resources within the constraints laid down by senior management.

Decisions taken or delegations exercised at this level may have major impact on the day-to-day operations of the work area. The impact of such decisions on office operations is likely to be limited to a specific work area or function. Delegations exercised may, depending on the nature of the work required, involve making determinations, instigating another course of action, or reviewing previous decisions.

Managerial responsibilities may be an important function of the work at this level, but this can vary widely depending on factors such as work area, location, priorities, work load, operational deadlines and the availability of staff resources to assist.

Guidelines, rules, instructions or procedures for use by other staff and interested parties may be developed at this level.

Duties and skills

Management skills and abilities necessary to undertake the allocation and monitoring of resources, the review of operations to determine their effectiveness and contribute to the development of policy initiatives or corporate strategies are usually required at this level. A knowledge of financial program management techniques related to the activity or corporate goal of the work area is usually required at this level, together with demonstrated personnel management skills and the ability to apply equal employment procedures and implement training and staff development.

Well developed liaison and communication skills and the ability to negotiate or communicate, under limited direction, on behalf of the agency with clients or other interested parties may be needed.

Work at this level requires a knowledge and awareness of office operations, as related to government initiatives or policies.

The ability to apply or interpret legislation, regulations, instructions or other guideline material relating to the operations, policies or functions of the work area; and the capacity to undertake high level research, reviews or investigations including the preparation of reports and associated papers may also be required.

Administrative officer level 7 (AO7)

Work level description

Work at this level may involve control of an organisational element involved in the administration or co-ordination of a specific program, activity or corporate support function at either the branch or department Head level, to achieve a result in line with the corporate goals of the agency.

The work may include developing policy and/or providing policy, financial, specific subject matter or administrative advice, including specialist advice or undertaking high level project work; developing, implementing and reviewing policy instructions and administrative or specialist procedures for the guidance of functional elements of the office; initiating and formulating recommendations for office programs; processing representations to the Minister, preparing replies to Parliamentary Questions, preparing Briefing Notes for senior level Managers, assisting in the preparation of Cabinet Submissions and correspondence; liaising with other government bodies and community organisations including the

preparation of public information on programs, activities or services; and representing the office at meetings, conferences or seminars.

Work undertaken at this level may also be required to deal with a complex and diverse operating environment.

Characteristics of the work

Work is undertaken at this level with broad direction usually from a senior level Manager or comparable employee in relation to priorities and the detailed conduct of the task. The activities undertaken would be of a complex or specific nature encompassing a significant element of total office operations.

Work at this level may involve, depending on the functional role, significant independence of action including the use or allocation of resources within the constraints or guidelines laid down by senior management.

Decisions taken at this level may, depending on the degree of autonomy of function and the degree of delegated authority, have significant impact on the day-to-day operations of a specific work area and may also have significant effects elsewhere within the office.

Management responsibilities are usually a significant function at this level. The percentage of the total work taken up in management functions and the character of the direction given to subordinates would depend on the nature of the work area, location, workload factors, priorities and staff resources allocated.

The development of guidelines, rules, regulations, procedures or instructions for either staff or other interested parties may be co-ordinated at this level.

Duties and skills

Management skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, manage staff and resources, formulate policy initiatives and develop corporate strategy proposals are usually required at this level. A knowledge of financial program management practices appropriate to the program or activity or corporate goal of the organisational element in which a position is located, are usually required at this level.

Work at this level requires the application of a high level of discipline, knowledge, a detailed knowledge of both government policies and procedures and an appreciation of their application in relation to office operations. Staff at this level would be expected to have the ability to undertake personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and staff development and counselling within the functional area of responsibility.

Work may require the ability to interpret and provide advice on legislation, regulations, instructions or other guideline material relating to the policies, operations or functions of the work area; and the capacity to undertake specific or major research, investigations or reviews and prepare associated papers or reports.

Liaison and communication skills of a high order, including the capacity and ability to negotiate or communicate on behalf of the agency with clients or other interested groups, perhaps to finality, may be needed.

Administrative officer level 8 (AO8)

Work level description

Work at this level may involve responsibility for a major program or programs at state-wide level and of critical importance to the agency, operating within broad policy guidelines, or be responsible for a service-wide function.

High levels of discipline, expertise and experience are required combining elements of planning, organising, directing and evaluating to determine goals and priorities within the framework of the corporate objectives of the office or of other agencies.

This level will require a capacity for original thinking, creativity, the exercise of significant levels of independent judgement, and the exercise of delegated authority as required.

The work may include providing specialist consultancy advice within or across Agencies, developing policy and interpreting, reviewing and implementing policy instructions, setting objectives in the work area, processing representations to the Minister, overseeing responses to Parliamentary Questions, preparation of reports to government, preparing ministerial briefing notes and correspondence, liaising with other government bodies and community organisations, including the provision of public information on programs, activities or services; and representing the agency at meetings, conferences or seminars.

Characteristics of the work

Work is undertaken at this level, usually under the broad direction of a Senior Executive, with significant levels of independent judgement in keeping with the complex nature of work undertaken and the allocation of resources within the constraints or guidelines laid down by senior executives. Delegations exercised at this level may, depending on the functional role, involve being the final authority in the process of approving the expenditure of funds, undertaking specific action in line with the policy of the office, or reviewing any previous action or decisions in the work area.

Management responsibilities are usually a significant function at this level, with management of a number of projects of significant within and outside the office being involved.

The development of guidelines, rules, regulations, procedures or instructions for staff or other interested parties may be instigated at this level.

Work at this level may include analysis of organisational design and the formulation of strategic plans for staff and organisational development.

Duties and skills

Management skills and the abilities necessary to determine resource allocations, manage staff and resources, formulate policy initiatives and develop corporate strategies are usually required at this level. A knowledge of financial program management practices and the evaluation of the results of program activities against stated objectives are normally required at this level.

Work at this level requires the application of a high level of discipline and knowledge including detailed knowledge of both government policies and procedures and their application in relation to office operations. Staff at this level with managerial responsibilities would be required to oversee the implementation of personnel management functions and to plan, develop and implement programmes associated with equal employment opportunity, occupational health and safety, and formulate policies and plans for staff and organisational development.

Liaison and communication skills to enable the effective resolution of complex organisational issues, including the capacity and ability to negotiate or communicate on behalf of the office with clients or other interested groups, often to finality, may be required.

Schedule 5 - Generic Level Statements - Professional Stream

Professional officer level 1 (PO1)

Work level description

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Service Act 2008* plus the education requirements for acceptance into an appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade (degree) in the professional stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular professional group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant profession, but at a level and under a degree of supervision appropriate to the skills held. This may include some work normally which would be carried out by level 2 (i.e. practising) professional, provided such work is verified or validated by a qualified and experienced professional employee.

Characteristics of the work

Work within this level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Initially direct guidance is given when problems arise.

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken.

Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

Duties and skills

This level recognises that duties and skills will increase in complexity as the employee moves through the education and training phase.

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

Employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

Professional officer level 2 (PO2)

Work level description

Positions at this level consist of employees with a minimum of a degree qualification or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Mandatory qualifications exist for entry to this level with an expectation of the application of professional knowledge gained through formal studies.

Positions at this level involve the delivery of basic professional services which are in support of agency objectives.

Characteristics of the work

Work is initially performed under close supervision by a more experienced professional, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand.

The solution of problems may require the exercise of professional judgement through the selection and application of procedures, methods and standards, however guidance from senior staff is readily available.

Employees at this level may operate individually or as a member of a project team within a work group.

Positions at this level generally have no supervisory responsibilities although more experienced employees may assist new employees by providing guidance and advice.

Possession of the mandatory tertiary qualification and experience is required for positions within this level.

Additionally, knowledge of basic practices and procedures relevant to the discipline is required. Professional judgement may be exercised within prescribed areas, however the provision of results are subject to verification and validation.

Duties and skills

Positions at this level may involve an employee in a range of activities including the analysis and interpretation of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic operations.

Employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions.

Employees shall have obtained professional knowledge as indicated by successful completion of the appropriate three year undergraduate degree or diploma and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

Professional officer level 3 (PO3)

Work level description

This level usually requires professional expertise in one or more areas of a discipline. Detailed knowledge of standard professional tasks are required with scope existing for exercising initiative in the application of established work practices and procedures.

At this level some supervisory responsibility of subordinate staff may be required. The degree of supervision is variable depending on the assignment or project.

Employees will be required to progressively obtain greater specialised knowledge through postgraduate qualifications or postgraduate developmental experience through attendance at specialist seminars and achieve higher level of outcomes under reducing professional direction.

Characteristics of the work

Work is usually performed under general guidance with the general quality of output monitored by superiors. However, the technical content of the work is not normally subject to direct supervision. Guidance may be given in reviewing work programs or on unusual features of an assignment.

Employees are expected to exercise initiative in the application of professional practices either as a member (in some situations as leader) or a specialist professional in multi-disciplinary teams or independently and may deputise for the professional head of a small work unit.

Employees at this level may have supervisory responsibilities for technical staff, if required, together with responsibilities for training and development of subordinate professional staff within the discipline.

Duties and skills

Work at this level requires the undertaking of more complex activities and the selection and application based on professional judgement of new and existing techniques and methodologies.

Employees may carry out research under professional supervision and may be expected to contribute to the advances of the techniques used.

Supervisory responsibilities include on-the-job training, staff assessment and performance counselling in relation to subordinates with the discipline or para professionals, as well as authority for the verification and validation of work results of supervised staff.

Duties also include the responsibility for varied professional assignments, requiring knowledge of either a broad or specialised field. Problems would be addressed by the use of combinations of standard procedures and/or modifications of standard procedures.

Professional officer level 4 (PO4)

Work level description

Work at this level usually requires the exercise of professional independence combined with competence derived from extensive experience and/or additional study.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised specialist, a professional practitioner with responsibilities for complex duties or as a senior specialist or leader in a multi-disciplinary team and may deputise for a professional head of a work unit.

The management of work groups may be a function of this level.

Characteristics of the work

Work is performed with limited or no professional supervision. Professional guidance from superiors is only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the normal span of activity.

Any standard professional task within the discipline, (including problem definition, planning, execution, analysis and reporting) is expected to be performed by an officer of this level.

Work at this level requires the development and provision of professional advice and consultancy services to other agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

The general quality of advice given is monitored by superiors and is subject to professional standards.

The application of knowledge obtained through postgraduate specialist qualifications or extensive recognised expertise is required for appointment to this level.

Professional specialists at this level would undertake work with significant scope and/or complexity and/or undertake professional duties of an innovative, novel and/or critical nature without professional direction.

Duties and skills

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of the agency's operations combined with a specialist or very high level of practitioner knowledge of major activities in the work unit.

Managerial responsibility may cover a small number of professional and related technical staff, and includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

Work at this level requires the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

Professional officer level 5 (PO5)

Work level description

Appointees to this level are recognised as authorities within a particular specialised field of expertise or they may have extensive knowledge within the professional discipline and broad experience spanning more than one professional discipline.

Positions at this level may have professional responsibility for a large work group.

Characteristics of the work

Work at this level may involve the exercise of substantial professional judgement based on knowledge of national initiatives and involvement in the development/application of discipline principles and new technology and/or knowledge of critical work which can involve a number of personnel from the disciplines or a variety of disciplines.

Work is usually performed without professional direction with a discretion permitted within the boundaries of broad guidelines to achieve organisational goals.

This level requires that appointees be recognised by their peers as expert professionals in their field either as practitioners or as professional specialists. This recognition is acknowledged by higher qualifications or by publications in refereed scientific journals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial professional judgement.

Management, initiation and formulation of research programs, major project or management of a scientific service or enterprise involving both a service and research work are features of this level.

Management of large work units, including prioritising work, training of staff, monitoring or work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate professional staff may also be required.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with professional independence.

Duties and skills

Work at this level requires a detailed knowledge of both governmental policies and procedures and an appreciation of their application in relation to agency operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The provision of expert advice on a consultancy basis to outside bodies, agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate professional, technical and economic impacts of programs, formulate policy and corporate strategy proposals are a requirement of positions within this level.

The management of very complex projects involving a number of personnel from either the discipline or a variety of professional disciplines may be required.

Professional officer level 6 (PO6)

Work level description

Work at this level is usually under the broad direction of a senior executive and includes a requirement for high levels of expertise and experience to determine professional objectives and priorities within the frameworks of an agency's corporate goals and in the absence of general professional guidance.

Appointees to this level are recognised as national or international authorities within their discipline and have generally made a significant contribution to the development of professional understanding on a national or international basis.

High levels of expertise and experience are required with a comprehensive knowledge of a recognised professional discipline.

This level may require the management of programs of critical importance to the State, to satisfy the government's objectives or the agency's corporate goals.

Characteristics of the level

Work is undertaken in a highly complex or specialised field to establish and/or modify standards, guidelines, concepts, theories, techniques or principles, both by adapting precedents and by making significant departures from traditional approaches.

In the absence of other evidence higher qualifications or national/international professional recognition of expertise is considered essential to undertake duties at this level.

The provision of expert specialist consultancy skills with critical impacts to the industry, to the State and at times the Nation must be combined with the exercise of total professional independence.

Duties and skills

The lack of precedent is a significant feature of the majority of duties and actions undertaken.

Development and overseeing the implementation of new and high level programs and major investigations is a significant feature of this level, as is an emphasis on strategic management.

Schedule 6 - Generic Level Statements - Technical Stream

Technical officer level 1 (TO1)

Work level description

Work at this level is restricted to those employees who have met the minimum entry requirements under the relevant legislation e.g. *Public Service Act 2008* plus the education requirements for acceptance into the appropriate tertiary institution.

Appointment to this level is solely for the purpose of fulfilling prerequisite education and/or training prior to appointment to the substantive grade in the technical stream.

A requirement at this level is the successful completion of the educational or training requirements of the particular technical group.

Appointees to this level may be enrolled as a full-time or part-time student, and if part-time, may be required to do work associated with the relevant occupation, but at a level and under a degree of supervision appropriate to the skills held. This may include some work which normally would be carried out by level 2 (i.e. practising) technical officer, provided such work is verified or validated by a qualified and experienced technical employee.

Characteristics of the work

Work within this level is performed under close supervision following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Initially direct guidance is given when problems arise.

Skills and knowledge will be acquired and demonstrated on a progressive basis consistent with the formal and informal training undertaken. Positions at this level have no supervisory responsibility, although more experienced staff may be expected to assist new staff by providing basic advice and guidance.

Duties and skills

This level recognises that duties and skills will increase in complexity as the employee moves through the education and training phase.

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests.

Employees at this level may undertake a combination of routine clerical, analysis, preparatory and operative duties requiring the application of basic skills and routines.

Technical officer level 2 (TO2)

Work level description

Positions at this level consist of employees with a minimum of a diploma, advanced diploma, qualification, or agreed equivalent and who are identified as belonging to the generic groupings listed in the definition statement.

Positions at this level involve the delivery of basic technical services which are in support of agency objectives.

Characteristics of the work

Work is initially performed under close supervision by a more experienced professional or technical officer, however, this supervision is expected to reduce as experience increases. Guidance is always close at hand and work outcomes are closely monitored.

The solution of problems may require the exercise of basic technical judgement through the application of standard procedures, methods and standards, however guidance from senior staff is readily available.

Employees at this level may operate individually under close supervision or as a member of a project team within a work group.

Positions at this level generally have no supervisory responsibilities although more experienced staff may assist new staff by providing guidance and advice.

Knowledge of basic practices and procedures relevant to the discipline is required with the possibility of specialisation in work application.

Duties and skills

Positions at this level may involve an employee in a range of activities including the analysis of findings as they relate to the elements of the work. They could also include the preparation of reports incorporating recommendations on basic technical investigations, tests or measurements.

Employees at this level perform non-repetitive tasks, governed by established procedures, specific guidelines and standardised instructions. Work is generally undertaken under technical guidance of senior staff.

Skills are generally transferable within particular disciplines.

Employees shall be required to have technical knowledge as indicated by successful completion of the appropriate diploma, advanced diploma, qualification and be able to apply theoretical aspects of the relevant discipline to basic problems or minor phases of broader assignments.

Technical officer level 3 (TO3)

Work level description

Work at this level requires detailed technical knowledge and experience with demonstrated high levels of accuracy and precision. An understanding of the agency's functions, coupled with detailed knowledge of the Unit's operations, practices and procedures is necessary for competent performance.

An employee may be required to undertake a range of moderately complex tasks and functions or specialisation in a particular discipline may be a feature of work at this level.

Characteristics of the work

Work at this level is undertaken autonomously with limited guidance. Guidance is available for complex or unusual problems, research or moderately complex experimental work. However, the contribution of experience to resolve issues on a day to day basis for which there may be no established procedure is a requirement of this level.

Supervision of small work groups and responsibility for quality of output by the group may be a feature of this level.

Duties and skills

The determination, conduct and evaluation of standard technical practices and procedures is required at this level. Significant technical responsibility exists for the application of new techniques to moderately complex problems and may be combined with limited specialist research.

Supervisory responsibilities would be limited and would include on-the-job training, staff assessment and performance counselling in relation to subordinates within the discipline.

Technical officer level 4 (TO4)

Work level description

Appointment to this level requires proven technical expertise and competence with demonstrated proficiency in applying established technical disciplines over several years either on an individual basis or as a member of a multi-disciplinary unit as either a technical practitioner or a technical specialist.

High levels of initiative in accomplishing technical objectives which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary unit are required.

Characteristics of the work

Work is performed either independently, with limited guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the position's normal span of activity, or as a member of a specialist or multi-disciplinary team.

Specialist technical consultancy either in the particular area of expertise or in a specialist area of expertise is required as is a high level of technical assistance to the work group.

The general quality of advice given is monitored by superiors and is subject to professional standards.

Management of work groups may be a feature of this level.

Duties and skills

Managerial responsibility includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

Work at this level requires the ability to interpret legislation, regulations and other guideline material relating to the operations and functions of the work area.

The investigation of a range of operating and design issues is a key duty of this level.

Technical officer level 5 (TO5)

Work level description

This level requires a high level of knowledge of complex though conventional methods and techniques of a particular discipline resulting from many years' experience and/or advanced technical training.

High levels of autonomy and initiative are required to be exhibited in accomplishing objectives and undertaking complex research projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team. Employees would be

expected to work with only broad guidelines in accomplishing objectives and undertaking complex projects.

The management of large technical work units which may be located across several work sites or involved in several programs may be a function of this level.

Characteristics of the work

Higher qualifications or further study or research experience is usually a characteristic of this level.

Management of large technical work units, including prioritising work, training of staff, monitoring of work flow and setting of local strategic plans is often a feature of this level. Assessment and review of the standard of work of subordinate technical staff may also be required.

Work at this level requires the development and provision of specialist technical advice and consultancy services to other agencies, industry representatives and the public. The level of information provided and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

Duties and skills

The duties undertaken at this level are of a complex and varied nature. They require detailed knowledge of the agency's operations combined with a specialist knowledge of major activities within the work unit.

Key duties and skills include the development of innovative methodologies, the application of proven techniques to specialised technical services and the undertaking of significant projects requiring the use of analytical skills.

The development and implementation of research studies, the preparation of reports and the formulation of recommendations and strategic plans in relation to the operation of the unit are key duties at this level.

Technical officer level 6 (TO6)

Work level description

Appointees at this level are recognised as authorities within a particular specialised technical field of expertise. This expertise is exhibited through extensive knowledge and experience within the area of specialisation possibly gained through either research or further qualifications.

Positions at this level may have managerial responsibility for major work units.

High levels of initiative are required to be exhibited in accomplishing objectives and undertaking complex projects, which may be either on an individual basis as a recognised technical specialist or as a senior technical specialist in a multi-disciplinary team.

Characteristics of the work

Work is usually performed without technical direction with a degree of individual discretion permitted within broad guidelines to achieve organisational goals.

The development and application of discipline principles and new technology may be a feature of this level, requiring the exercise of substantial technical judgement.

Positions within this level will generally have a very high profile within the discipline and will operate within broad guidelines to achieve specific objectives with technical independence.

Duties and skills

Work at this level requires a detailed knowledge of both governmental policies and procedures and an appreciation of their application in relation to agency operations. The ability to interpret and provide advice on legislation, regulations and other guideline material relating to the operations and functions of the work area is required.

Duties may span a range of activities in a complex, specialised environment and may include contributing to the formulation of corporate policy and the implementation of policy directives.

The development of appropriate techniques in providing specialised technical services and the formulation of complex programs within the framework of objectives and priorities of major work units are key duties to this level.

The provision of expert advice on a consultancy basis to outside bodies, agencies and the public as well as participation on inter-agency committees to develop policy, planning and other initiatives is required.

Significant managerial skills and the abilities necessary to monitor resource allocations, evaluate program effectiveness, formulate policy and corporate strategy proposals are a requirement of positions within this level.

Schedule 7 - Generic Level Statements - Operational Stream

Operational officer level 1 (OO1)

Work level description

Training, both on and off the job, is a dominant feature of this level.

Characteristics of the level

Work at this level is performed under close supervision and direction following standard routines, methods and procedures with little scope for deviation, or the exercise of initiative or judgment in the selection of appropriate means to complete the work assignment. Limited responsibility exists for the final outcome.

The routines, methods and procedures to be followed are at a level consistent with skills acquired. Direct guidance is given when problems arise.

Positions at this level have no supervisory responsibility.

Duties and skills

Employees at this level usually perform repetitive tasks which are fully prescribed and are usually performed in response to standardised instructions or requests. There is only limited scope for interpretation.

Operational officer level 2 (OO2)

Work level description

Positions at this level involve the delivery of operational services whose work routines, methods, and procedures are clearly established and there is limited scope for deviation.

Training, both on and off the job, is often a dominant feature of this level.

Characteristics of the level

Work may initially be performed under close supervision by a more experienced officer, however, this supervision is expected to reduce as experience increases. Employees at this level may operate individually or as a member of a project team within a work group.

Limited discretion is available for the selection of the appropriate means of completing duties or tasks. Guidance is always available and work outcomes may be closely monitored.

Positions at this level may have limited supervisory responsibilities with more experienced staff assisting new staff by providing guidance and advice.

Duties and skills

Positions at this level may involve an employee in a range of activities including the performance of non-repetitive tasks governed by established procedures, specific guidelines and standardised instructions.

Duties may include field support or regulatory inspection activities and data collection and recording.

Appointees to this level undertake a range of functions requiring the practical application of acquired skills and knowledge.

Technical skills not requiring trade or equivalent qualifications are required in order to safely and effectively operate basic machinery to perform routine and standard functions, and organise duties across a working day to meet regular work load requirements.

Operational officer level 3 (OO3)

Work level description

Appointment to this level requires proven expertise in the particular discipline with demonstrated proficiency in applying established techniques.

An understanding of the agency's functions coupled with detailed knowledge of the work units' operations, practices and procedures is necessary for competent performance.

Characteristics of the level

Employees at this level work under general direction and undertake a range of functions which may require the application of trade based skills and experience or the practical application of a high level of skills.

Employees at this level may operate individually or as a member of a project team within a work group.

Supervision of subordinate employees within a small discrete work group or function may be a feature of this level.

Assistance is usually available if required when problems occur, although problems are usually resolvable by reference to procedures, documented methods and instructions.

Whilst there is some scope for the exercising of initiative in the application of established work practices and procedures, problems can generally be solved by reference to documented methods and instructions.

Duties and skills

Work at this level requires a sound knowledge of the agency's functions and the requirements of the discipline.

A sound knowledge of the operating procedures is required.

Supervisory responsibilities may include co-ordination of work flow processes, training of subordinate staff, responsibility of quality of output of the workgroup, staff assessment and performance counselling in relation to subordinates.

Knowledge and compliance with regulations, codes and specifications may be required.

Duties at this level may include application of trade based skills or equivalent involving field work, design/modification of equipment, research projects, support services and the collating and analysis of specimens or data.

Operational officer level 4 (OO4)

Work level description

Work at this level requires specialised knowledge within the discipline.

Work is undertaken under limited direction as to work priorities and the detailed conduct of the task.

Employees may be responsible for larger work groups or functions, field groups or district operations.

High levels of initiative in accomplishing objectives may be required to be exercised either on an individual basis or in a multi-disciplinary unit.

Characteristics of the work

Work is performed either independently with guidance from superiors only received for those aspects of work which involve new or sophisticated techniques or relate to areas outside the position's normal span of activity.

There is scope for the exercise of initiative in the application of established work practices and procedures.

Duties and skills

Duties include the supervision of a work group or function, field group or regional operation, with responsibility for the standard of workmanship, completion of work assignments and allocation of resources.

Interpretation of guideline material and documented precedents and the application of judgement may be required in determining solutions to problems.

Operational officer level 5 (OO5)

Work level description

Work at this level requires specialised knowledge of complex though conventional methods and techniques.

High levels of autonomy and initiative may be required to be exhibited in accomplishing objectives and undertaking projects.

Management of large work groups may be a factor.

Characteristics of the level

Employees at this level are subject to limited direction and may exercise managerial responsibility for a large and complex work program.

Usually only broad guidance and advice is provided as to operational requirements and deadlines to achieve end results in line with operating goals.

Duties and skills

Duties may involve detailed planning, directing, co-ordinating or financial control within budget, material and workforce limitations established by management and the implementation of overall agency policies.

Managerial responsibility includes training of subordinate staff, co-ordination of workflow processes, responsibility for quality of output of the work unit, performance assessment and review, staff counselling, career planning and development, application of equal employment opportunity principles as well as implementing occupational health and safety guidelines and principles.

Operational officers levels 6 & 7 (OO6 & OO7)

Work level description

Work at this level requires specialised knowledge and may be undertaken autonomously.

These are managerial levels and may include responsibility for large and complex work groups.

Characteristics of the work

Responsibilities at these levels will reflect the size and complexity of agency operations and will normally entail significant independence of action in the allocation of resources within constraints imposed by management.

Work is performed under limited direction with a significant degree of discretion permitted within the boundaries of broad guidelines to achieve organisational goals.

Duties and skills

Duties at this level reflect the independent operation of the employee and may involve significant allocation of resources.

Management of work units may include prioritising work, training staff, monitoring of work flow and setting of local strategic plans. Assessment and review of the standard of work of subordinate staff is also a requirement of this level.

Work at this level requires a knowledge and awareness of agency operations as well as detailed knowledge of major activities of the work unit.

The requirement to interpret legislation, regulations and other guidance material relating to the operations and functions of the work area is necessary for adequate performance at this level.

Schedule 8 - Generic Level Statements - Nursing Stream

Level 1

Work level description

A registered nurse is a nurse licensed to practise nursing without supervision and who assumes accountability and responsibility for their own actions and acts to rectify unsafe nursing practice and/or unprofessional conduct. It is essential that the nurse is registered by the Nursing and Midwifery Board of Australia and holds a current practising certificate.

The degree of expertise will increase as the registered nurse advances through this level.

The nurse may be a beginning practitioner or a registered nurse returning to the field after a period of absence.

Level 2

Work level description

An employee responsible for a specific client population who is able to function in more complex situations while providing support and direction to a registered nurse and other non-registered nursing personnel.

The clinical nurse identifies, selects, implements and evaluates nursing interventions that have less predictable outcomes.

The clinical nurse is able to demonstrate the following:

- advanced level clinical skills and problem-solving skills;
- planning and coordination skills in the clinical management of patient care;
- ability to work without a collegiate/team structure;
- awareness of and involvement with quality; and
- contribution to professional practice related to area of expertise.

Level 3

Work level description

A registered nurse may be appointed to an advanced practice position as identified below. Specific leadership roles and responsibilities of each of these advanced practice positions may include, but are not limited to, the following:

- integrates key objectives from the Strategic Plan into service delivery for a clinical unit;
- overall coordinates, formulates and directs policies relating to the provision of nursing care or speciality services which includes integration of patient care across the continuum of care (inpatient and ambulatory care);
- operationalises the strategies for a work based culture that promotes and supports education, learning, research and workforce development;
- implements education and applies research initiatives at the unit/division/facility level;
- integrates the strategic direction and priorities for quality improvement into a clinical service that establishes a quality framework which confirms/supports the direction a nursing service will take; and
- manages change at a local level.

Indicative titles for this level include clinical nurse consultant, health officer, nurse educator and nurse researcher.

Level 4

Work level description

A registered nurse may be appointed to a clinical and/or management position at this level who demonstrates clinical and management expertise and is responsible for:

- the overall planning, coordination, formulation and direction of policies relating to the provision of clinical care, development of partnership models and strategies to support undergraduate and post-graduate education and research in the workplace; and
- the provision of human and material resources.

Indicative titles for this level include nurse manager, assistant director of nursing and nursing director.

Level 5

A registered nurse may be appointed to an expert clinical and/or management position at this level who:

- demonstrates expertise in clinical practice and management;
- is responsible for the activities of the nursing services or facilities and contributes to the development of service or facility wide policy;
- is accountable for nursing practice within a facility, leadership of nursing service, effective coordination of resources and development of health strategies (in collaboration with others);
- demonstrates expert and comprehensive knowledge of contemporary nursing practice;
- demonstrates expertise in strategic leadership; and
- demonstrates expertise in human, material, financial and resource management.

Indicative titles for this level include Director of Nursing.

Schedule 9 - Classification Standards - Safe Food Queensland

Classification standards

Employees of Safe Food Queensland are to be classified into the appropriate classification level using the classification standards referred to below.

The classification standards are generic and indicate in broad terms the skills, qualifications and in some instances, the type of work that may be required of employees.

The classification standards extend across a work and skill range typically performed by employees of Safe Food Queensland.

Band 1

This is the entry level for administrative and technical employees. Supervision is typically close. It is expected that the range of work will be varied to provide experience in a variety of roles. Administrative employees at the top of this level would be expected to have completed studies leading to the relevant TAFE certificate or a program of structured training capable of being accredited as equivalent. Supervision of other employees is not a feature.

However employees could be required to assist new employees, providing information, guidance and advice.

Band 2

All employees at this level are expected to work in an increasingly autonomous manner although the scope of the work remains limited and supervision is direct. The employee progressively develops sound working knowledge in identified administrative and technical areas and exercises a level of independent judgement in accordance with established policies. Specific task guidance could be included. Within this level employees would be expected to be undertaking studies, leading towards advanced certificate qualifications or equivalent.

Band 3

To enter this level technical employees would have completed the advanced certificate or the second year of associate diploma studies, or have equivalent skill and knowledge. The certificate of technology or equivalent would be completed within this level. Administrative employees would be obtaining skills at an equivalent level of complexity, either through formal study or by work related skill formation activities. Employees would be expected to perform activities of gradually increasing complexity under more routine supervision. Both technical and administrative employees may be required to liaise between external agencies and the public on work related matters. Supervision of a small work team could be undertaken at this level.

Band 4

Entry to this level is by appointment to a vacancy. It is the entry level for degree qualified employees in professional work roles. Technical employees would hold associate diploma qualifications or have equivalent skill and knowledge. Supervision of a work team could be undertaken within this level and work standards require the exercise of independent judgement in a limited field. At this level supervision received involves general guidance as to methods and requirements.

Employees working in technical fields would be expected to progress toward diploma qualifications or equivalent within this level.

Band 5

Entry to this level is by appointment to a vacancy. At this level employees may be expected to perform complex, creative, planning, design, or co-ordinating roles at entry level within administrative, technical or professional fields. Professionals will develop a broad range of experience in various aspects of their discipline and may control limited projects. Administrative employees further develop and apply their knowledge of the Safe Food Queensland organisation and functions, and plan and co-ordinate activities such as monitoring work flow and employee attendance. Technical employees would be expected to progress toward diploma qualifications or equivalent within this level. As employees progress through this level the supervision received becomes more general in nature.

Appropriate qualifications at this level include degree qualifications, associate diploma qualifications or equivalent skill and knowledge.

Band 6

Entry to this level is by appointment to a vacancy. Degree or diploma qualifications are expected at this level. Employees perform difficult and complex work under limited direction and are expected to deliver high quality advice, provide specialist services, or manage a local unit. Administrative employees would typically work within a specialised field or supervise at a section level. Such an employee would supervise a diversity of related functions, collect and analyse data and prepare reports and recommendations. The experienced professional at this level performs work that is novel, critical or complex with increasing autonomy.

Professionals may guide less experienced graduates, lead teams and projects and supervise the work of others. The technical employee performs complex work under limited guidance and may supervise employees.

Band 7

Entry to this level is by appointment to a vacancy. Degree or diploma qualifications are expected at this level. This level includes roles that under broad guidance, perform work of considerable difficulty and complexity in administrative or professional areas, with potential corporate impact. Employees at this level would have completed specialised training and gained substantial relevant experience. Employees would be able to manage situations involving the application of complex legislation and policies, and provide policy advice on significant issues. They would be expected to undertake research, prepare comprehensive submissions, reports and recommendations and carry projects through to completion. Leadership of a work section may be a requirement.

Band 8

Entry to this level is by appointment to a vacancy. Degree or diploma qualifications are expected at this level. Employees perform under executive direction to a level of marked difficulty and accountability in the administrative or professional work roles. The level of theoretical and applied knowledge is high. Employees may exercise specialist skills, or have organisational group supervision, at a significant level of responsibility. Work is typically linked to the achievement of Safe Food Queensland corporate goals. Senior professional specialists or practitioners apply comprehensive knowledge of policies and exercise significant decision making and advisory functions. Work is generally reviewed in relation to policy objectives. Supervision may be exercised over a range of employees and general resources. Management accountability is significant.

Whenever there is a statutory requirement for registration or licensing in order to legally carry out the work of Safe Food Queensland, this requirement will be specified in the relevant position description.

Principles for progression

- (a) All employees shall participate in the performance management process, and subject to satisfactory achievement of the goals set by agreement with their manager, shall advance to the next incremental paypoint within their nominal pay band.
- (b) In the case of employees working within bands 1 to 3, a review shall be conducted every 6 months from the date of commencement in a band.
- (c) In the case of all other employees, a review shall occur every 12 months from the date of commencement in a band.
- (d) Progression between bands will normally be by successful application to an advertised vacancy, except where competency-based development or progression is provided by agreement.
- (e) Where there is an identified business need, a work role may be classified and advertised as a broad-banded position within bands 1-3 or 4-5. At the time of advertising, a statement identifying the skill, competencies and responsibilities that are required at each band level must be available. Where there is an identified business need, a professional work role may be classified and advertised as a broad-banded position within bands 4-5 to allow for professional development.
- (f) An employee who has reached the top incremental paypoint may progress to the next band level subject to the approval of their manager, provided that the employee has achieved the agreed goals outlined in their performance plan and satisfies the requirements for selection to the higher band.

Schedule 10 - List of Cultural Centres

- Queensland Art Gallery (including the Gallery of Modern Art)
- Queensland Museum
- State Library of Queensland
- The following business units of the Arts Queensland Division of the Department of Environment and Science -
 - Judith Wright Centre of Contemporary Arts
 - The Centre of Contemporary Arts Cairns

By the Commission,
[L.S.] M. SHELLEY,
Industrial Registrar.