



Police Association of Tasmania

EB LOG OF CLAIMS 2018 – ‘WITHOUT PREJUDICE’

Introduction

The PAT is seeking an agreement commencing on 1 January 2018 and concluding on 31 December 2019. As with previous practice the PAT is seeking to amend and consolidate the Police Award to reflect the negotiated outcome.

1. Salary increases

The PAT is seeking salary increases of 2% from 1 December 2014 and 2% from 1 December 2015 for members. These increases cover the wage freeze period and are within the State Government’s wages policy parameters.

The PAT also seeks a 2% salary increase from 1 July 2018 and a 2% salary increase from 1 July 2019 for members. These increases are also in line with the State Government’s wages policy.

Members have a legitimate expectation that their salaries remain reflective of the professionalism of police and up-to-date with other State Sector workers and that has not occurred in recent years. The PAT accepted a wages’ freeze to assist the reinstatement of police numbers to the level promised by Government in a difficult financial period, which has now passed, providing the capacity for a justifiable and responsible adjustment to our members’ pay.

2. Operational Competency Allowance

The PAT seeks an annual allowance of 4% of normal salary for all members who are validated for operational duties.

3. Sergeant Pay Levels

The PAT proposes that level 1 Sergeant be removed and level 2 becomes the new level 1 and consequently successive levels are re-numbered accordingly. At the current time the base salary for Constable level 13(ii) exceeds that of Sergeant level 1 and the gap will continue to grow with further salary increases. This is not acceptable, as an anomaly is created that doesn’t reflect the hierarchy of responsibility. It is illogical that a higher rank would attract a lesser base salary to that of a lower rank.

The PAT proposes that current level 1 Sergeants be advanced to the new Sergeant level 1 (previous level 2).

4. Officer-in-Charge Allowance

It is clear that members who are in charge of stations, subdivisions, sections, groups or work areas have regular unpaid disturbance of leisure to attend to enquiries and assist their personnel. OIC's do not ignore requests for assistance and it is the PAT's belief that Tasmania Police has failed to institute other adequate systems of after hours' support. On this basis, these members should be paid an allowance for this after hours' ability to be contacted. The PAT seeks the reintroduction of this allowance as it previously existed.

5. Overtime – Time in Lieu – clause 14.1.16 of the Police Award.

The current award provision requires that TOIL be provided on an hour-for-hour basis. The TOIL calculation needs to reflect the penalty, namely, double time TOIL for all overtime worked to establish the correct balance.

In addition, the PAT submits that accumulated TOIL is to be paid at overtime rates one month following its accrual, unless the time off has been taken at a mutually convenient time or the member requests the hours continue to be banked.

6. Shift & Penalty Allowance (SPA) – clause 19 and Rosters – clause 18 of the Police Award

New Shift & Penalty Levels:

The PAT proposes that 10% of all three levels of the SPA be subsumed into base salary. This is to be done on the first full pay period on or after the Industrial Commission date of decision or the first full pay period on or after 1 July 2018, whichever comes first.

The PAT proposes the new SPA rates as follows:

- 3% for “Other Rosters” with a combined maximum of up to 47 afternoon shift hours and weekend day shift hours to be worked in a 5-week roster cycle. Other current rostering parameters are to continue to apply. If the maximums are exceeded members will receive the proposed 5% SPA for the next level for the entire 5-week period.
- 5% for “Level 1 – Non-24-Hour Shift Roster” with a combined minimum of 48 hours and a maximum of 80 hours of afternoon shift and weekend day shift hours to be worked over the 5-week roster cycle. If the maximums are exceeded the member will receive the proposed 10% SPA for the next level for the entire 5-week period.
- 10% for “Level 2 – Non-24-Hour Shift Roster”. The rostering parameters for the current 18% rosters/SPA are to continue to apply.
- 13% for “24-Hour Rotational Shift Roster”. The rostering parameters for the current 21% rosters/SPA are to continue to apply.

Excessive hours by consent - Other Rosters and Level 1 Non-24-Hour Shift Rosters:

The PAT proposes, that where changes to these rosters occur by consent between the member and the member's supervisor and they are changed specifically for operational requirements, and the maximums provided for in the Award are exceeded, the member shall receive the next level SPA for the entire 5-week period.

7. Country Police Station Allowance – clause 9.3 of the Police Award

The PAT proposes the following changes to the Country Police Station Allowance:

- That the Allowance be amended from 35% to 27%. This takes into account the 10% SPA that is subsumed into base salary. The increase of 2% is proposed to recognise the claimed increase to the shift and penalty allowance as previously described.
- That subclause 9.3.4 – Rosters be amended as follows:

9.3.4(b) – By reducing the minimum of twenty-four 7.6 hour days 'On' to twenty-three 8 hour days over the 5-week roster cycle and increasing RDOs from 11 days to 12 days in the 5-week roster cycle.

9.3.4(c) – By adding two new subclauses:

(IV) The roster must be displayed a minimum of four weeks in advance of its commencement.

(V) Where a member's day 'On' or RDO is changed without the consent of the member or 5 full calendar days' notice has not been provided, the member shall be entitled to be paid overtime for the substituted day or days 'On' unless the roster has been departed from in accordance with clause 18.3 of the Police Award.

- That the following definitions be included in the provision:

"On" means a day where the member is rostered to work and be available.

"On Duty" means the member has commenced normal rostered duty of 8 hours.

"On Call" means the period the member is not 'on duty' when rostered 'on', and where the member is required to be available to return to duty on an RDO.

- That relief at Country Stations is provided where the absence of a member from the cluster is greater than 4 consecutive days, and further that Divisional Management (at Commander level) must consider the negative impact on the rosters of the closest divisional stations who would normally provide relief and/or backup as per the Operational Response Policy.
- The Overtime and Call Back provisions at clause 9.3.6 require a re-write to clarify the intent of the provisions and to ensure that members in these stations are appropriately remunerated for recall to duty, or, overtime for work within and outside of their cluster, for work on RDO's and excessive hours.

Proposed new subclause 9.3.6 is:

9.3.6 Overtime and Call Back

- (a) Tasmania Police is committed to ensuring the health and safety of its members working at Country Stations. While members at Country Stations are remunerated by a composite allowance as specified in 9.3.2 and specific provisions regulate their mode of work, Tasmania Police recognises that it has an overriding duty of care to manage these members to ensure that they are not subject to unreasonable fatigue and associated risks. The following overtime and call back provisions need to be read subject to these safe work principles.
- (b) Members will not be required to perform policing functions for excessive hours, which for the purposes of this sub-clause is greater than 12 consecutive hours.
- (c) In instances where members are required to perform policing functions for more than 12 consecutive hours they will receive an overtime payment until relieved. Members are required to notify Divisional Management of the likelihood that they will exceed 12 consecutive hours as soon as practicable.
- (d) Where members do perform policing functions for excessive hours they are entitled to a minimum 10-hour uninterrupted break prior to performing another policing function, unless required to attend court which will attract overtime in accordance with subclause (b). In the event that Divisional Management requires members to return to duty within the 10-hour period, the members will be paid overtime until they receive an uninterrupted 10-hour break. Recalls to work where members have not received the specified 10-hour break shall not occur where the members are fatigued and have notified the relevant supervisors or managers.

Note: members are expected to manage their own time as detailed in 9.3.4(a) and the expectation is to minimise excessive hours.

- (e) Overtime payments will not be paid for events such as court appearances or training requirements (unless the member is on an RDO) or vehicle servicing. It is expected that members will arrange their working hours around known day shift events.
- (f) A member who is required to return to duty on an RDO is entitled to claim call back and overtime.
- (g) Members who are rostered on an RDO and who have been requested by Divisional Management to cover their and/or another station within their cluster, if no alternate coverage exists, will be entitled to availability, call back and overtime.
- (h) Reasonable consideration must be given to allow members their rostered days off when requesting members to perform duty in relation sub-clause (f) and (g).
- (i) Where members are required to perform duties outside their cluster groups when rostered 'On', other than specified in (e) above, they will be entitled to paid overtime for all hours worked in excess of their 8 continuous hours. (The 8 hours being the 'on duty' hours for the day, which may be work carried out within or outside the cluster).
- (j) Where a member is 'on call' and recalled to perform duties outside their cluster group after having completed their 'on duty' hours of 8 for the day, the member is entitled to claim call back and overtime relating to the recall to duty.

- (k) Overtime and recall are payable where members are required to perform work in addition to the standard 8 hour working day, where that work originated outside of their cluster area and has been brought into the area for attention in the absence of the ability to deal with it otherwise.
- (l) In all cases where call back and overtime is claimed pursuant to this clause, the payment is in addition to the allowance specified in 9.3.2(a).

8. Workers Compensation – maintenance of remuneration

The PAT believes that the step-down provision contained in the Workers Compensation and Rehabilitation Act 1988 is unjust and financially disadvantages members who have been incapacitated as a result of their employment.

The PAT seeks maintenance of remuneration at 100% while the member remains incapacitated due to a work related illness or injury.

9. Commissioned Officers (Inspectors)

The following position is proposed on the basis that the number of Inspectors has decreased and it acknowledges the additional workload (merging of divisions) projects, responsibilities and secondary roles attached to a diminished group within a changing national context.

It also recognises that the salary gap between top Sergeant levels and the base Inspector level has been reduced with increases in SPA and other allowances afforded sergeants and constables, but not available to Inspectors.

a) Contactability Allowance

Inspectors who are required to be regularly contactable outside their ordinary hours of work and able to undertake work at their immediate location shall be paid an annual allowance of \$6,000. The allowance will be paid pro rata where the requirement to be contactable is either introduced or removed as an expectation of the Inspector's role. Inspectors in receipt of this allowance are not required to hold themselves in readiness to resume duty (the provisions associated with availability/standby do not apply).

b) Intrusive and Unsociable Hours Allowance

"Unsociable" means any period of ordinary hours of work between 1800hrs and 0100hrs on Monday to Friday (\$5.46 per hour); and

"Intrusive" means any period of ordinary hours of work between 0100hrs and 0700hrs Monday to Friday (\$6.88 per hour);

"Unsociable Weekend Rate" means any period of ordinary hours of work between 1800 hrs and 0100hrs on a weekend (\$12.86 per hour);

"Intrusive Weekend Rate" means any period of ordinary hours of work between 0100hrs and 0700hrs on a weekend (\$16.43 per hour).

The above rates are to increase in line with salary increases.

This would address the current different Duty Officer rostering situations throughout the State; those who work more often, receive greater remuneration.

c) Overtime/Excessive Hours

Payment for overtime

Where an Inspector is required to work beyond 12 hours continuously they shall be paid at double time until they cease work. If they are required to resume work without a 10 hour break they will continue to receive time and a half until they have received a 10 hour break.

Inspectors who are required to work additional hours (beyond 8 hours) in circumstances where they are required to participate in planned organisational exercises such as counter terrorism planning or emergency management exercises shall be paid for the additional hours at double time. Work of this nature should generally be done in normal working hours where possible.

d) Detective Allowance

The PAT proposes that Detective Inspectors be paid the Detectives Allowance at the same rate as a Sergeant or Constable.

e) Specialist Allowance

The PAT proposes that the Specialist Allowances be payable to Inspectors who manage secondary role units which are specified in the Specialist Allowance provision.

f) Professional Development Allowance

The PAT proposes a Professional Development Allowance for Inspectors. This reimbursement allowance is for expenses incurred to attend professional development over the course of a financial year commencing on 1 July each year and shall not exceed \$5,000. In addition to formal courses of education, a professional development course may include national exercises, conferences, overseas courses and deployments, external agencies, structured professional development processes, inter agency or in-service development courses and attendance at professional seminars. It does not include any professional development programs offered by Tasmania Police.

To be eligible for approval, the course must clearly align with the professional development needs of the Inspector as well as the organisational needs of the Police Service. Prior approval must be sought to attend the proposed Professional Development Program.

g) Provision of Unmarked Police Vehicles

The National Threat Level was raised in October 2014 and now sits as PROBABLE meaning that credible intelligence, assessed by security agencies indicates that individuals or groups have developed both the intent and capability to conduct a terrorist attack in Australia. The factors that led to the elevated alert level persist. There is a need to remain vigilant and maintain focus on Counter-Terrorism (CT) prevention and preparedness.

Police and the military are very visible and accessible symbols of authority, in particular the government. Events since 2014 have seen this extended to individuals identified as associated with the police and military such as public service employees. Police and the military, or those associated with them, are attractive targets for terrorists who are unlikely to distinguish between them in terms of attack styles.

Attacks on police, conducted by Islamist extremists, are most likely to occur in public, including at or near places of work; the offender is likely to be known with a history of criminal activity (possibly with previous arrests relating to drugs), are likely to use a range of readily available unsophisticated weapons such as firearms or knives and may include the use of a vehicle. These attacks are likely to be opportunistic or the result of prior planning, but generally use simple tactics.

Within this context, there has been advice provided by Tasmania Police to its membership to continue to apply good security practices when entering and leaving police premises, or when on and off duty to help ensure personal safety. Specifically members were advised that if in uniform and your duties do not require you to wear accoutrements, consider wearing a non-uniform jacket when outside police premises. Further that all staff should avoid displaying identification, including DPEM and Police lanyards, when in public and while on operational duty members are required to carry all accoutrements, including a police issued firearm.

The provision of marked police vehicles to Inspectors is contrary to the underpinning philosophy of reducing risk and promoting officer safety. The notion that a member is encouraged to wear a plain jacket over a uniform or carry all accoutrements when he or she can be identified as a police employee, seems counter intuitive to an Inspector not carrying a firearm, but is driving marked police vehicles during and to and from work. Whilst Inspectors are not opposed to wearing full operational accoutrements on duty, the current holdings of firearms and potential communication barriers with external business partners are barriers to such a practice. Additionally, the introduction of AVL has enhanced both officer safety and resource accountability.

It is proposed that Inspectors in authorised positions/locations be provided with unmarked police vehicles which can be home garaged subject to the following conditions:

- 1) the vehicles must be available for Departmental use during normal working hours of business, and at other times as may be determined by the Commissioner; and
- 2) must be equipped with a police radio, a siren and emergency services lights.

The following positions are determined to be authorised:

- 1) Divisional Inspectors at: Hobart, Kingston, Bellerive, Glenorchy, Bridgewater, Sorell, Launceston, Georgetown, St Helens, Deloraine, Burnie, Devonport and Queenstown;
- 2) Inspectors in Charge of: Forensic Services, Marine and Rescue Services.
- 3) Inspectors in Charge of District Support in each Geographic District.
- 4) Other positions as approved by the Controlling Authority

An alternative position is to provision each vehicle used by an Inspector with a firearms safe to ensure the level of safety afforded other members is also provided to officers. There would also need to be the purchase of firearms for each Inspector so as not to limit front line capacity.

10. Higher Duties Allowance – Clause 9.1 – Police Award

The PAT seeks to amend Clause 9.1.1 of the Police Award by changing the period required to work from 76 working hours to 8 working hours to qualify for payment of HDA.

The PAT also seeks an amendment to provide that where members who are qualified to be promoted to a higher rank and undertake HDA at the higher rank for a cumulative period of 12 months, will then be paid for further HDA at the next level, capped at level 2. If the member is subsequently promoted then they would be promoted to at least the equivalent HDA level.

11. Specialist Allowance- Clause 9.4 – Police Award

The PAT proposes that the Specialist Allowance be amended as follows:

Increases:

- Increase the Specialist Allowance from level 3 to level 4 for Search & Rescue members who are in the Dive Squad. See proposal [HERE](#)
- Increase the Specialist Allowance from level 3 to level 5 for the Bomb Response Group. See proposal [HERE](#)
- Increase the Specialist Allowance from level 4 to level 5 for AFFSAB accredited examiners. AFFSAB accreditation is a national requirement for a fingerprint examiner to be nominated as an expert. In addition to having completed educational requirements nominees must sit Board directed examinations, some of which require a 100% pass mark. Once AFFSAB accredited, experts are required to maintain their expertise by undergoing annual proficiency testing, again requiring a 100% pass mark. AFFSAB accreditation is internationally recognised.
- Increase the Specialist Allowance from level 3 to level 5 for Search & Rescue members who are Helicopter Crew. Further, that the Air Crew members who are trainers/assessors be paid the ‘team leaders’ allowance at clause 9.4.3 of the Police Award. See proposal [HERE](#)
- Increase the Specialist Allowance from level 3 to level 4 for Search & Rescue Controllers. See proposal [HERE](#)

New:

- Digital Evidence Unit – Forensic Services. Level 3 is proposed. See proposal [HERE](#)
- Advanced Crash Analyst – level 4 is proposed. See proposal [HERE](#)
- Coroners Associates – level 3 is proposed.
This small group of workers are attached to Prosecution Services. They are required to check coronial files, write findings on behalf of the Coroner and assist the Coroner during Coronial Inquests. The role is intense and consistently demanding and requires excellent communication and writing skills and a very sound knowledge of the Coroners Act.
- Radio Dispatch Services – level 2 is proposed. See proposal [HERE](#)
- Bomb Scene Examiners – level 3 is proposed. See proposal [HERE](#)
- Operational Skills Instructors – level 3 is proposed. See proposal [HERE](#)
- Extend the allowance for recognised ‘Team Leader’ to all part-time specialist squads where the Controlling Authority designates these positions or equivalent.
- Remove specific references to the Special Operations Group from 9.4 Specialist Allowance and insert a new clause into the Award specifically for this group.

General:

- The PAT proposes that the Specialist Allowance be paid **for** each listed specialist role undertaken by a Constable or Sergeant. Currently where more than one specialist role is undertaken the allowance is paid only for one. The PAT proposes that if a member is undertaking more than one specialist role, then the allowance should be paid for each of the roles performed, to recognise the benefit to Tasmania Police.
- The PAT proposes that the Specialist Allowance be payable to Inspectors who manage secondary role units which are specified in the Specialist Allowance provisions.

12. Special Operations Group Conditions – see proposal [HERE](#)

Insert a new clause 23 – Special Operations Group (as follows) and renumber successive clauses accordingly:

23.1 Definitions

23.1.1 For the purposes of this clause the following definition shall apply:

‘Member’ means a person permanently or temporarily appointed under the provision of the Police Service Act 2003 in the Tasmania Police Service and who is appointed as a current operational member of the Special Operations Group.

23.1.2 Where inconsistent this clause prevails over:

(a) Availability and Standby

23.2 Special Operations Group Flexibility Allowance

23.2.1 Members who are operational within the Special Operations Group shall be paid an allowance of 8.5% of normal salary. This allowance shall be in addition to the relevant Shift and Penalty Allowance applicable to members’ substantive positions and any other allowances they are entitled to.

23.2.2 The allowance of 8.5% is payable in recognition of:

(a) Any change of rostered shift with notice in excess of 24 hours to undertake SOG operational duties as directed by the Special Operations Group Commander or his representative will occur without penalty.

(b) Members of the Special Operations Group, other than the ‘on-call’ members, are contactable and may return to duty at short notice as requested by the Controlling Authority to ensure an operational response in circumstances where a high-risk or other similar incident is occurring, immediately or at short notice.

(c) This allowance recognises significant flexibility in rostering for the purposes of undertaking SOG operational tasks only, to provide all available SOG human resources where the planning or response requires it.

(d) This allowance also recognises changes to recall provisions where 24 hrs notice is not provided and the member is recalled to duty at short notice (see 25.3 Overtime/Recall).

23.3 SOG Specialist Allowance

23.3.1 Members appointed to the SOG will be paid a SOG Specialist Allowance at the following rates:

(a) Qualified Tactical Operator on commencement to year 5 = \$4,500 pa

(b) SOG Support member completed prescribed training as directed by Inspector = \$3,000 pa

(c) Qualified Operator year 5+ years onwards = \$6,500

(d) SOG Support member completed Tactical Intel Team Leaders course or other relevant training as directed by Inspector & performing role = \$4,000pa

(e) Qualified Team Leaders & Tactical Commanders = \$8,500 pa

23.3.2 The SOG Specialist Allowance is payable in recognition of:

Specialist skills and training as per ANZCTC requirements to form and maintain a PTG:

(a) Recognition of maintaining a highly demanding secondary role that requires 9 weeks training per annum on top of primary role commitments to remain operational.

(b) Retention of specialist skills and expertise for those who remain operational beyond 5 years (Tactical Operator).

(c) Recognition of the high demands and responsibilities that Team Leaders and Tactical Commanders carry in obtaining these qualifications and performing the duties as and when required.

(d) Recognised internal career advancement and development that aims to retain skills and expertise for use in operational and support roles.

(e) Requirement to maintain a high level of fitness during and outside normal rostered hours which is subject to prescribed testing within the SOG (relevant to Tactical Operators).

(f) Requirement to maintain an operational readiness for planned or unplanned operations on any non-work day that results in significant disturbance of leisure, commensurate with the potential for emerging high-risk operations.

(g) The necessity to participate in a 24hr/7 day a week availability roster to ensure 365 day State-wide response to potential high risk incidents which is constant and has a significant impact on rest and leisure time.

(h) The necessity to travel away from members' primary places of residence on a regular basis to participate in training and deployments.

23.3.3 The allowance will be adjusted in line with base salary increases that occur from time to time, as they occur.

23.4. Leave

23.4.1 Recreation leave will be programmed in advance for the following financial year by May.

23.4.2 Members will provide six (6) months' notice of an intention to take leave in excess of two weeks at a time unless circumstances exist that would prevent this.

23.4.3 In determining the programmed leave, consultation will occur between the SOG Commander and operational members to:

- a) Ensure an acceptable and constant operational response across the State; and
- b) Establish arrangements during the leave periods beyond two (2) weeks which are agreed between all parties.

23.5 Overtime/Recall

23.5.1 All Overtime provisions of the current police award will apply with the exception of the following:

23.5.2 Where 24 hours' notice of a change to shift has been provided in accordance with 22.2.2(a) the maximum rostered shift will be 8 hours.

23.5.3 Time worked beyond the 8 hour shift will be subject to normal overtime rates and all meal claims will apply as per the current Police Award.

23.5.4 In circumstances where members are recalled to duty outside of their rostered working hours and where less than 24 hours' notice is provided the minimum recall time will be 2 hours at double time.

23.6. General

23.6.1 Unless special circumstances exist or prior arrangements have been made a member will prepare for and conduct operational training during normal rostered hours.

23.6.2 Protective clothing will be provided when appropriate and the uniform is to be worn in accordance with the current uniform policy or as directed by the Commander SOG.

23.7 Review and Tenure

23.7.1 Regular reviews will be undertaken by appropriately qualified persons to assess the performance and suitability of members of the Special Operations Group. The SOG Commander will report on all matters of suitability where appropriate.

23.7.2 There is a requirement that the tenure for an operational member of the Special Operations Group in receipt of the above suite of conditions and where ongoing suitability has been maintained, be for a minimum of 7 years.

23.7.3 Consideration will be given to the release of tenure prior to 5 years and up to 7 where special or other unforeseen circumstances exist.

23.7.4 In the event a release is requested, six months' notice should be provided, wherever possible, by the member to be released, unless otherwise approved by the Commissioner of Police.

13. Leave - Clause 15 of the Police Award

The PAT proposes deleting clause 15 – Leave in its entirety and replacing it with a new clause. See proposal [HERE](#)

A summary of the proposed changes are:

- Parental Leave – the provision reflects the current State Service provisions and we also propose a new provision for IVF leave at sub-clause 15.1.13.
- Personal Leave – this new provision incorporates personal leave for illness or injury and personal leave to care for a member of the household or an immediate family member. It is an all-encompassing provision that will be fully provided for in the Award and the PAT proposes that it should be removed from the Police Regulations. The re-write is a contemporary provision and mostly reflects what currently exists, with the exception that medical certificates from health practitioners will replace the requirement for medical

certificates from medical practitioners. Further, it is proposed that there be a change to the number of days' absence without a medical certificate from 4 days to 7 days.

- Compassionate and Bereavement Leave is an expansion of the current Award conditions and the new provision reflects the State Service entitlement, with the exception of clause 15.3.3. where the PAT proposes that recreation or long service leave be re-credited for any period of compassionate/bereavement leave that occurs whilst on recreation or long service leave.
- Recreation Leave is a re-write of the provisions incorporating what primarily exists in the Award and Police Regulations. It is an all-encompassing provision that will be fully provided for in the Award and the PAT proposes that it should be removed from the Police Regulations. Note that clause 15.4.6 regarding Personal Leave during recreation leave reflects the current State Service provisions. In addition, The PAT proposes that the recreation leave entitlement be increased by 38 hours for all members.
- Defence Leave – no change.
- Special Leave – no change.
- Leave for Bass Strait Islands – no change.
- Return to Duty Whilst on Leave - The PAT proposes that the clause be amended to provide a member with the option of claiming overtime for all time worked, with a minimum payment of 4 hours double time when they return to duty whilst on paid leave or claiming single time for all time worked and have the leave day re-credited.
- Police Accumulated Leave Scheme –The PAT proposes that clause 15.8.7 (q)(1) in relation to return to work in the member's incumbent position be increased from 12 weeks to 24 weeks.
- Family Violence Leave – this is a new provision and reflects the State Service condition.
- Sporting Leave – this is a new provision. The PAT proposes that paid sporting leave be included in the Police Award. It is proposed that paid sporting leave for periods of up to 5 days per calendar year for the purposes of participating in approved sporting events be inserted into the leave provisions.

14. Guaranteed geographic transfer following posting to an isolated area

The PAT seeks agreement to continue the arrangement currently in place where members are able to negotiate a guaranteed transfer to a specified district (including major stations - Hobart, Launceston, Burnie and Devonport) following completion of their time in an isolated area.

15. Rent free status – Police Residences other than those covered by the Community Assistance Expense Allowance

The PAT is seeking rent free status for members who reside in all police residences that are attached to or immediately adjacent to police stations. The identified issues supporting this claim are:

- The frequent disturbance of leisure by members of the public, without payment, is the primary issue.
- The general standard of housing attached or adjacent to police stations is aged, below reasonable expectations and maintenance has historically been inadequate.
- In a number of localities there is vacant land adjacent to the police residence which belongs to the department and there is an expectation that this will be maintained by the member.
- Private residences leased to Tasmania Police in some localities are usually of a superior standard and better maintained than police owned residences.
- To enhance attraction, retention and encourage mobility.

16. Travelling Time and Allowance

The PAT seeks to introduce travelling time provisions:

(a) Commencement of duty

A member shall commence duty at his or her gazetted workplace, or in the case of a secondary role and/or specialist squad or group at the respective bases and access a firearm and/or other accoutrements as required by the Controlling Authority at the commencement of such duty unless other arrangements are established by specific agreement between the member and the Controlling Authority.

(b) Secondments and temporary transfers by direction

As a result of a compulsory secondment or temporary transfer by the Controlling Authority that requires a change in the member's workplace the member shall be entitled to the provision of transport by the Controlling Authority or the reimbursement of additional travel expenses incurred beyond what the member would normally incur in travelling to and from his/her residence and normal workplace.

Where the Controlling Authority does not provide transport and a member uses his/her private vehicle for such additional travel, the motor vehicle expense allowance shall be paid in accordance with the rates contained in Clause 10.6 based on the additional distance travelled. Where a member uses transport other than a private vehicle the member shall be reimbursed actual costs on presentation of receipts.

Members will normally undertake travel to the new location in their rostered shifts. Where this is not reasonably practicable a member shall be paid at overtime rates for all additional travel time calculated as the difference between travelling time from the member's residence to normal workplace and return and the time travelled between the member's residence to and from the new location.

(c) Requirement to travel interstate or overseas

Where a member is required to undertake duties interstate or overseas, travel shall normally be undertaken in the member's rostered shift. Where this is not reasonably practicable the member shall be paid travel time at normal salary for any period in excess of ordinary hours. All travel costs associated with such duty will be paid by the Controlling Authority.

(d) Academy training

Members shall normally travel to and from their gazetted workplaces and Academy training in their rostered shifts. Where this is not reasonably practicable members shall be paid travelling time at overtime rates for any period of travel.

Members will be provided with transport to and from the Academy by the Controlling Authority or where transport is not provided and a member uses his/her private vehicle for such travel, the motor vehicle expense allowance shall be paid in accordance with the rates contained in Clause 10.6 based on the distance travelled. Where a member uses transport other than a private vehicle the member shall be reimbursed actual costs on presentation of receipts.

17. Detectives Allowance – Clause 9.7 – Police Award

The PAT proposes an increase to the Detectives Allowance. In recent years attraction and retention has become a major problem in roles undertaken by Detectives. There has recently been an unprecedented situation where a Detective Sergeant's position was advertised as likely to be subject to a management initiated transfer if a suitable application did not apply.

There have been limited applicants for vacancies at both Constable and Sergeant ranks.

Applicants completing the Investigators Development Program (IDP) are not applying for vacancies.

Positions are no longer being advertised where it is an essential criterion to have successfully completed the IDP. Rather the positions are advertised that having successfully completed the IDP is 'desirable'. This has diluted the level of expertise required to enter investigation roles and it acknowledges that attracting suitably trained applicants is an issue.

Remuneration versus workload and responsibility is also been cited as a reason members no longer look upon Detective roles as a career aspiration.

The PAT proposes a restructured allowance which we believe addresses the issue of attraction and retention and recognises the skill set and work demands of a Detective's role.

The proposed allowance is tiered to acknowledge cumulative investigative experience.

The proposed allowance also includes the Safe Families Coordination Unit (SFCU). The Investigator roles within this new Unit are described as Detective roles and are investigative in nature.

The PAT proposes the following amendment to the Detectives Allowance:

9.7 Detectives Allowance

9.7.1 A member who is a designated Detective and is permanently attached to the Criminal Investigation Branch, Drug Investigation Service, Fraud or E-Crime Investigation Service, Professional Standards, Serious Organised Crime Unit, Safe Families Coordination Unit, or Joint Counter Terrorism Taskforce shall be paid an allowance as indicated in the following table:

Category	Amount	Detail
Level 1	\$3,208.00 per annum	Constables who are designated Detectives (up to 2 years cumulatively).
Level 2	\$4,812.00 per annum	Sergeants who are not designated Detectives. Constables who have been designated Detectives for 2 years cumulatively or more.

Level 3	\$6,416.00 per annum	Inspectors who are not designated Detectives. Sergeants who have been designated Detectives for 2 years cumulatively or more. Constables who have who have been designated Detectives for 3 years cumulatively or more.
Level 4	\$8,020.00	Inspectors who have been designated Detectives for 2 years cumulatively or more. Sergeants who have been designated Detectives for 3 years cumulatively or more. Constables who have who have been designated Detectives for 4 years cumulative or more.
Level 5	\$9624.00 per annum	Inspectors who have been designated Detectives for 3 years cumulatively or more. Sergeants who have been designated Detectives for 4 years cumulatively or more. Constables who have who have been designated Detectives for 5 years cumulative or more.

9.7.2 Constables who are permanently attached to any of the work areas in subclause 9.7.1, who are not designated Detectives shall receive an allowance of \$2,098 per annum.

9.7.3. The Detectives Allowances specified in subclause 9.7.1 and 9.7.2 above are only payable to members who perform investigative duties, including Detective Sergeants who may perform an administration role as part of their regular duties.

9.7.4 This allowance shall be adjusted annually in line with Police Award increases to the base salary for police Constables that occur from time to time.

18. Meal Expense Allowance - Clause 10.5. – Police Award

All meal expense allowances (for Constables and Sergeants) relating to a claim for overtime will revert to an outright entitlement to the allowance and is to be paid automatically in conjunction with the overtime and will not require a separate claim.

19. Attending Court after concluding work at or after midnight.

The PAT proposes that where a member is required to attend court following an afternoon shift or a night shift, the member is entitled to be stood down without loss of pay from midnight if on an afternoon shift or stood down for the entire night shift without loss of pay.

The court appearance will not attract any further remuneration and there will no requirement to continue duty beyond what is required for the court appearance except where the court appearance exceeds the time stood down, the member is then entitled to claim overtime for all time in excess of the period of stand down. There will be no further requirement to make up any duty time should the time required in court be less than the stand down period.

A member may choose not to be stood down from duty as described and claim recall to duty.

The above does not apply where the court day is on an RDO or TOIL day. It only applies where the member is rostered to work on the court day.

20. Incidentals on Training Courses - Clause 10.2 – & Overnight Expense Allowance - Clause 10.8 – Police Award

The PAT proposes that Clause 10.2 and 10.8 be deleted and replaced with a new suite of overnight travel expense provisions as follows:

10.8 Overnight Expense Allowance

10.8.1 The object of this clause is to ensure that members who are required to undertake work related travel and who are required to remain away from their residence overnight are provided with accommodation, meals and incidental expenses without incurring out of pocket expenses.

10.8.2 A member who is required to undertake work related travel and who is required to remain away from their residence overnight, where accommodation and/or meal components are not provided, shall be paid an allowance calculated in accordance with the following applicable components:

(a) Accommodation Venue	Overnight Accommodation Rate
Adelaide	\$157.00
Brisbane	\$201.00
Canberra	\$168.00
Darwin	\$216.00
Melbourne	\$173.00
Perth	\$233.00
Sydney	\$185.00
Tasmania	\$132.00

(b) Meal Allowances: (Preceding or following an overnight absence)

Breakfast	Applicable hours: 7.00am – 8.30am	\$26.45
Lunch	Applicable hours:	\$29.75

Dinner	12.30 – 2.00pm Applicable hours: 6.00pm – 7.30pm	\$50.70
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(c) Incidental Expenses

Payable per overnight stay:

- (i) Within Tasmania - \$20.10
- (ii) Outside Tasmania - \$28.25

The rates contained in the tables above are derived from the Australian Taxation Office Taxation (ATO) Determination TD2016/13, Table 1. These rates are to be adjusted from 1 July each year in accordance with the appropriate ATO determination. The accommodation component of the allowance is derived from the capital city rate for each State within that Determination.

A member required to undertake work related duties outside of Australia shall be paid a meal and incidental allowance per overnight stay at a rate determined and published by the Australian Taxation Office (ATO) that is applicable to overseas locations. These rates are to be adjusted from 1 July each year in accordance with the appropriate ATO determination.

PROVIDED that if the member so wishes, he or she shall be allowed advance payment of the estimated allowance payable for the period of travel in question.

10.8.3 Where an adequate standard of accommodation (i.e. of at least 3 star single motel room standard with private facilities or a private bedroom in a minimum 3 star self-contained apartment) is not available, with the exception of the Police Academy, a member will be paid an inadequate accommodation allowance of \$60.00 per overnight stay. Members shall not be required to share accommodation (i.e. sharing a bedroom or hotel/motel room).

10.8.4 Pre-Booking and Payment of Accommodation

- (a) The Controlling Authority may enter into an arrangement with a commercial provider (hotel, motel or serviced apartment) for the provision and payment of accommodation on behalf of a member.
- (b) In such cases the accommodation component of the Overnight Expense Allowance will not be paid.

10.8.5 Payment of Actual Travel Expense

- (a) The Controlling Authority and a member may enter in an arrangement whereby it is agreed that the actual cost of accommodation and/or expenditure on meals incurred in the course of business are to be paid upon the verification of such receipts as may be tendered in support of the claim.
- (b) In such cases the accommodation and/or meal allowances prescribed in paragraph 10.8.2 of this clause are not to be paid but the actual accommodation and/or meal expenses incurred in the course of duty travel are to be reimbursed to the member.

- (c) A member who has entered into an arrangement in accordance with subclause 10.8.4 (b) above is to be paid the Incidental Expenses Allowance as prescribed in subclause 10.8.2 (c).
- (d) The Controlling Authority may provide alternative methods of payment of travel expenses, such as through use of a corporate credit card.

10.8.6 Payment for Employee Choice

- (a) A member may choose not to stay in accommodation for which the Controlling Authority has a commercial arrangement in which case the member is to be paid the rates prescribed in subclause 10.8.2.
- (b) The Controlling Authority may require the member to provide evidence by way of receipt that a commercial accommodation (hotel, motel or serviced apartment) expense was incurred.
- (c) A member may choose not to stay overnight in commercial accommodation (hotel, motel or serviced apartment) in which case the accommodation component of the travel allowance is not payable to the member.

10.8.7 Advance Payment of Travel Allowance Expense

If requested by a member an advance payment is to be made of the estimated overnight expense allowance payable for the period of the work related travel.

10.8.8 Additional Transport Costs Incurred On Work Related Travel

A member required to undertake work related travel who incurs additional costs through the use of public transport, taxis or hire cars is to be reimbursed those costs by substantiating the actual expenses to the Controlling Authority

10.8.9 Conference and Training Course Incidental Allowance

A member, except trainees undergoing the trainees' constable program, required or authorised to attend a training course, policing response, conference or similar function where accommodation is provided and meals may or may not be provided, is to be paid the Incidental Expenses Allowance as prescribed in paragraph 10.8.2 (c) of this subclause with the appropriate meal components as prescribed in subclause 10.8.2 (b) for any meals not provided.

21. Overtime and Child Care Costs - Clause 14.4 – Police Award

The PAT proposes the deletion of the words “and the member certifying that no alternative family arrangements were able to occur”. There should be no onus on a member to justify this requirement as arrangements regarding care are the member's responsibility and not the Controlling Authority's concern.

22. Community Assistance Expense Allowance

The PAT proposes that Georgetown and St Helens be added to the list of stations eligible for this allowance. Both of these stations have an availability requirement with members directed to be available. This requires members to be able to respond within a specified time frame. There are a number of members in Georgetown who do not reside in the town and stay overnight in the town when on availability. St Helens is a remote north east town where it is impractical for members who are stationed there to reside anywhere but the town itself or locally.

23. Availability and Standby – clause 13.3 of the Police Award

The PAT proposes that Availability and Standby rates be doubled on RDOs, ADOs or TOIL days where a member is required to be available or on standby. Members being on availability or on standby on 'off duty' days should be avoided, but where it is necessary and agreed by the member, then the rates should reflect the additional disruption to leisure time.

The PAT proposes that the rate of \$5.00 be increased to \$15.00 at clause 13.3.5. This rate has not changed in years and is not reflective of current costs.

24. Rest period after Overtime - clause 14.2 of the Police Award

The PAT proposes that 14.2.2 and 14.2.3 be amended to increase 8 consecutive hours off duty to 10 consecutive hours off duty.

The PAT is of the view that 8 hours is not sufficient time to rest and refresh, eat and prepare for a return to work.

25. Equipment Reimbursement Allowance

The PAT proposes that an equipment reimbursement allowance of \$200.00 per annum be introduced for members to purchase listed approved items. The listed items are to be the subject of discussion and agreement.

26. Telephone Reimbursement Allowance

Members appointed to country stations, or, undertaking relief at those stations who are required to be contactable and available for return to duty, shall either be provided with a mobile phone by the Controlling Authority for that purpose, or, receive an allowance of \$80.00 per month to purchase and maintain a mobile phone.

27. Public Holidays

The PAT proposes that members who work a normal rostered shift on Christmas Day or Good Friday be paid at double time for the shift. (Payable for the whole shift where any part of the shift is worked on the public holiday).

28. Sporting Club/Gym Reimbursement Allowance

The PAT proposes that a sporting club/gym membership reimbursement allowance of up to \$600.00 per annum be introduced for members to participate in regular club sporting activities and/or attend personal training sessions and/or become a member of a gym. The focus of members' well-being must include preventative measures including encouraging physical fitness.

29. SRCTU – Clause 21 of the Police Award.

The PAT seeks to amend the definition of 'member' at clause 21.1 by adding the word "Sergeant". Currently a Sergeant in this unit is carrying out regular dignitary protection duties and provides the flexibility in rostering that this role requires, but is not receiving the shift and penalty allowance provided for within Clause 21, because the definition of member only provides for the rank of Constable.

30. Association Subscriptions

The PAT is seeking amendment to the Award whereby the deduction of subscriptions from members' pay continues to be available according to current practice.

Insert the following at the end of 8.2.3 – "The deduction of Police Association of Tasmania subscriptions shall be made available to members by the Controlling Authority and shall continue with the authority of the member concerned."

31. Quality of Life, Parental and Family Friendly Initiatives.

The PAT seeks a commitment that any advances in quality of life or parental and family friendly conditions that are developed and adopted by Government for its general workforce are made available for police officers and implemented within a three month period.

32. Future Salary Arrangements

The PAT is seeking a commitment to ensure the parties respond and negotiate in a responsible and timely manner in the next round of bargaining. The first salary increase in the next Enterprise Agreement will apply from the beginning of the ffpp on or after 1 July 2020.

33. No Extra Claims

The parties will not vary salaries or conditions during the life of the agreement, except claims for expense related allowances, which are permitted during this period.

34. General Matters

The PAT reserves the right to amend this claim during negotiations and to seek varied and/or additional outcomes for individuals or groups as the matter progresses.