

SECTION 8 MISCELLANEOUS MATTERS

42. Public holidays

42.1 Employees will observe the following public holidays in the Australian Capital Territory:

- (a) New Year's Day (or substitute);
- (b) Australia Day (or substitute);
- (c) Good Friday and the following Saturday and Monday;
- (d) Anzac Day (or substitute);
- (e) the Queen's Birthday observance day (or substitute);
- (f) Labour Day or equivalent;
- (g) Christmas Day (or substitute);
- (h) Boxing Day (or substitute); and
- (i) any other day, or part-day, declared or prescribed by or under a law of the Australian Capital Territory to be observed generally within the Australian Capital Territory, or a region of the Australian Capital Territory, as a public holiday, other than a day or part-day, or a kind of day or part-day, that is excluded by the *Fair Work Regulations 2009* from counting as a public holiday.

An additional day will also be observed by the department on 27 December or, if that day falls on a Saturday, Sunday or public holiday, 29 December. This additional day will, for all intents and purposes of this Agreement, be recognised the same way as the public holidays listed above.

42.2 Where the relevant program manager and an employee agree, another day may be substituted for any holiday prescribed above, e.g. for religious purposes.

42.3 Where the employee is receiving half pay or no pay on one side of the public holiday and full pay on the other side, or half pay on one side and no pay on the other side, the employee will be paid full pay for the public holiday. Where an employee is on a period of leave without pay both sides of a public holiday, the employee will receive no pay for the public holiday.

43. Christmas/New Year closedown

43.1 Employees who would normally be required to attend for duty on the two working days between Christmas Day and New Year's Day each year will be granted discretionary leave with pay for those days.

44. Travel on official business

44.1 Employees may be required to travel on official business as part of their normal duties.

44.2 Official travel should be undertaken in accordance with the Clerk's Instructions and relevant departmental guidelines.

- 44.3 Where possible, travel on official business should be arranged between 7.30am and 7.30pm Monday to Friday. Travel during these times may be counted as time on duty for the purposes of flextime.
- 44.4 Where travel outside these times is essential and/or unavoidable in order to meet work demands, a section head or program manager will grant an employee a period of paid time off in lieu (TOIL) at single time. The arrangements applying to the banking of, and access to such TOIL credits will be as outlined in clauses 35.12 to 35.15.

Class of travel

- 44.5 Employees are entitled to economy class air travel where required to travel on official business within Australia.
- 44.6 Employees will be entitled to travel business class within Australia if the actual continuous flight time (excluding connecting flights) is in excess of three hours, and the employee is expected to perform duty immediately following the completion of the flight.
- 44.7 Where the abovementioned flight is in conjunction with a connecting flight, and the additional cost to the department to fly an employee business class on the connecting flight would be not more than 10% greater than the economy class airfare, the employee may fly business class for the connecting flight.
- 44.8 An employee required to travel overseas on official business will be entitled to business class travel. Where business class travel is not offered, the employee will travel economy class.

Travelling expenses

- 44.9 Travelling expenses within Australia: An employee required to be absent from Canberra overnight on official business will be provided with a corporate credit card to meet reasonable accommodation, meal and incidental expenses, or will be fully reimbursed for reasonable expenses incurred upon return.
- 44.10 Overseas travelling expenses: An employee required to travel overseas on official business will be provided with a corporate credit card to meet reasonable accommodation, meal and incidental expenses (e.g. airport taxes, telephone calls to maintain contact with family) or will be fully reimbursed for expenses incurred upon return. Advances may be made on a case by case basis having regard to issues such as accepted processes for the payment of accounts in the country being visited and projected expenses where payment by credit card is not an option.

45. Child care / family care expenses

45.1 Where an employee is required to work additional hours, to travel with work, at short notice, or is recalled to duty from leave the program manager may approve the reimbursement of reasonable expenses incurred for the care of a household family member (e.g. child or elderly parent) where:

- (a) the employee is given less than 24 hours notice of the requirement to work, travel or be recalled to duty;
- (b) there is no form of suitable unpaid care available to the employee; and
- (c) the manager is informed immediately where the requirement to work or travel may give rise to a claim under this clause, so that alternative work arrangements can be considered.

46. Relocation expenses

46.1 As a general principle, an employee recruited from interstate or overseas and needing to relocate shall do so at his or her own expense. This principle applies to employees on promotion, movement and engagement.

46.2 Where it is considered that relocation assistance is necessary to ensure the preferred person accepts the offer of employment, the Clerk may approve reimbursement of costs up to \$3,000.

47. Loss or damage

47.1 The Clerk may approve reimbursement to an employee for loss or damage to clothing or personal effects which occurs as a direct consequence of the performance of his or her duties at work. Employees are to report any such losses or damage as soon as practicable after the occurrence to their immediate supervisor.

48 Notice of resignation

48.1 Where possible, employees should provide their program manager with the following written notice period of resignation:

- Parliamentary Executive levels four weeks
- APS 1/2 to 6 levels two weeks.

48.2 A resignation may not take effect on a public holiday.

49. Payment on death

49.1 Where an employee dies, or is presumed to have died, the Clerk will make a payment to the employee's legally authorised representative of the amount to which the employee would be entitled on resignation or retirement.

50. Implementation arrangements

Personal/carer's leave

- 50.1 The new personal/carer's leave arrangements (replacing the formerly separate sick and carer's leave credits) will be implemented effective from the commencement of the first full pay period after approval of the agreement by Fair Work Australia.

Maternity leave

- 50.2 An employee on maternity leave on the date of commencement of this agreement will be entitled to the additional paid maternity leave provided by clause 40.10 providing the paid leave provided for under the *Maternity Leave (Commonwealth Employees) Act 1973* (however taken) has not already been fully utilised.

Introduction of paid parking

- 50.3 If a system of paid parking is introduced in the vicinity of Parliament House such that the provision to an employee of free parking is a fringe benefit for the purposes of *Fringe Benefits Tax Assessment Act 1986*, the department will pay any fringe benefits tax that arises as a result of the provision of that parking to the employee.