

SECTION 5 **REMUNERATION AND ALLOWANCES**

The department is committed to providing pay and conditions that enable it to attract, motivate, reward and retain its high performing and valued employees.

Over the life of this Agreement employees will be rewarded with salary increases if they demonstrate “effective or better” individual work performance and in recognition of the productivity improvements to be gained from achieving the departmental objectives outlined in clause 2.

26. Rates of pay

26.1 The rates of pay applicable to each approved classification level in the department over the life of this Agreement are set out in Appendix 1.

Rate of pay – casual Parliamentary Educators

26.2 Employees engaged on a casual basis to work as Parliamentary Educators in the Parliamentary Education Office shall be paid at the second salary point in the range applicable to the Australian Parliamentary Service Level 6 classification.

26.3 The salary advancement provisions, as outlined in clause 28 do not apply to casual Parliamentary Educators.

Payment of loading – sessional or casual employees

26.4 Sessional or casual employees (including casual Parliamentary Educators) will be paid a loading equal to 20% of their salary in lieu of public holidays and all paid leave entitlements, except long service leave. This loading shall be paid for all duty performed, excluding overtime.

Salary on commencement or promotion

26.5 Subject to clause 26.6, where an employee is engaged, or is promoted, the salary payable will be at the minimum point of the applicable salary range that is in effect at the date of commencement or promotion (see Appendix 1).

26.6 In accordance with relevant departmental guidelines, the Clerk, having regard to the experience, qualifications and skills of the employee, may authorise payment of salary above the minimum point in the applicable salary range.

26.7 Where an ongoing Australian Parliamentary Service or Australian Public Service employee moves to the department from another department or agency (on an ongoing or temporary basis) and the employee, prior to the move, is on a salary point which does not translate to the department’s salary structure, the Clerk may, having regard to the relevant department’s

salary structure, the Clerk may, having regard to the relevant department's guidelines, authorise payment at:

- (a) the next highest salary point within the classification level; or
- (b) a point higher than the maximum salary point within the classification level.

- 26.8 Where the Clerk authorises payment at a point higher than the maximum salary point, the employee will remain on the authorised salary point until such time as salary increases in the department overtake that salary point. Once this occurs, the employee will, subject to an "effective or better" performance assessment, be paid the next highest salary point in the applicable classification level.
- 26.9 Where, at the time of engagement, an employee's salary is set at an incorrect salary point, the Clerk may authorise the payment of the employee's salary at the correct salary point from the date at which the correct salary should have been paid.

Supplementary salary

- 26.10 The Clerk may, in recognition of particular skills, capabilities or additional responsibilities, or to meet special workplace circumstances, or operational requirements, approve payment of additional salary to an employee over and above the rates set out in Appendix 1.

Salary on temporary assignment to higher level

- 26.11 The Clerk may temporarily assign an employee duties at a higher classification level. Generally, the first two weeks of any temporary assignment will not be paid at the higher level. However, where the employee has completed a temporary assignment in the same or similar position within the previous 12 months, and that period was for two weeks or more, payment will be made at the higher level for the full period of the new temporary assignment providing the period is for one week or more.
- 26.12 The Clerk may approve payment of a salary above the minimum point in the salary range for the higher classification level for the period of the temporary assignment if the employee has satisfactorily performed significant periods of duty at the higher level within the previous two years.
- 26.13 An employee who is required to temporarily perform work at the Senior Executive Service Band 1, will be paid an annual salary as determined by the Clerk. In determining the salary, the Clerk will consider the skills, knowledge and experience of the employee and the work value of the duties to be performed. Other conditions of service applicable to the employee temporarily performing work at the Senior Executive Service level will be determined by the Clerk on a case by case basis. The minimum conditions to apply will be those contained in this Agreement.
- 26.14 The Clerk may, at any time, vary the period of, or rescind, an employee's temporary assignment to duties at a higher classification level.

Salary on reduction

- 26.15 Where the Clerk allocates a lower classification level to an employee on an ongoing basis, the Clerk will determine the salary point to be paid, having regard to the experience, qualifications and skills of the employee and the circumstances under which the decision was made.
- 26.16 Where an employee elects, in writing, to be temporarily assigned duties at a lower classification level, the Clerk will determine the salary point that the employee shall be paid whilst working at the lower level, having regard to the experience, qualifications and skills of the employee and the circumstances under which the election was made.

Payment of salary

- 26.17 Employees will have their fortnightly salary paid by electronic funds transfer into a financial institution account of their choice.
- 26.18 The fortnightly salary will be ascertained by applying the following formula:
Fortnightly Salary = $\frac{\text{Annual Salary} \times 12}{313}$

313

Flexible salary packaging

- 26.19 Employees may elect to sacrifice salary for other benefits in accordance with the relevant departmental policy.
- 26.20 All costs, including any fringe benefits tax and administrative costs, incurred as a result of the salary packaging arrangement will be met by the employee.
- 26.21 Where employees take up the option of salary packaging on a "salary sacrifice" basis, their salary for purposes of superannuation, severance and termination payments will be determined as if the salary sacrifice arrangement had not been in place.

Apprentices

- 26.22 Where an employee is apprenticed in employment under a formal training arrangement the rate of pay will be a percentage of the minimum of the Australian Parliamentary Service Level 2 (within the Australian Parliamentary Service Level 1/2 broadband classification) pay scale as follows:

	Apprentice	Adult apprentice* or apprentice with partner or dependants
1st year of service	50%	70%
2nd year of service	60%	80%
3rd year of service	70%	90%
4th year of service	80%	100%

* An adult apprentice is an employee who is 21 years of age or more.

Supported wage for employees with a disability

26.23 Supported wage rates as set out in Appendix 2 shall apply to an employee with a disability who is eligible for consideration under the Supported Wage System.

27. Salary increases

27.1 In recognition of the commitment to achieving the productivity improvements outlined in clause 2, and subject to the employee receiving an overall performance assessment of "effective or better" at the end of the annual Performance Communication Scheme cycle (cycle ends 30 April), the employee will receive a salary increase as follows:

May 2011 – 3%

May 2012 – 3%

27.2 The salary increases outlined above will apply from the commencement of the first full pay period in May each year.

27.3 Where an employee, who has been absent for the entire previous 12 month performance assessment cycle, recommences duty, and there are no performance related issues unresolved from the period prior to that absence (e.g. because the requirements of the Scheme have not been completed), the employee will, on recommencement, be paid a rate of salary in accordance with the salary scale in effect at the time of their recommencement.

27.4 Where, in the opinion of the relevant program manager, there are performance related issues unresolved from the period prior to that absence, unless otherwise determined by the Clerk, these must be resolved in accordance with the requirements of this Agreement, before any adjustment is made to his or her salary.

Salary increase where the overall performance is assessed as requires development or unsatisfactory

27.5 An employee will not be entitled to receive a salary increase under clause 27.1 until he or she receives an overall performance assessment of "effective or better". The salary increase will be effective from the commencement of the first full pay period following the assessment of "effective or better".

28. Salary advancement within classification levels

Salary advancement – general

28.1 Employees will advance one salary point in their substantive classification level, effective from the commencement of the first full pay period in May each year, in the following circumstances:

- (a) an overall performance assessment of "effective or better" is received at the end of the Scheme cycle (cycle ends 30 April); and
- (b) the employee has completed a minimum of six months duty (including periods of paid leave) at that level in the 12 months ending 30 April.

- 28.2 An employee who receives an overall performance assessment of “requires development” or “unsatisfactory” will not be entitled to receive a salary advancement until he or she receives a performance assessment of “effective or better”. The salary advancement will be effective from the commencement of the first full pay period following the assessment of “effective or better”.

Salary advancement – sessional employees

- 28.3 Sessional employees will advance one salary point in their allocated classification level, effective from the commencement of the first full pay period in May each year, in the following circumstances:
- (a) an overall performance assessment of “effective or better” is received at the end of the Scheme cycle (cycle ends 30 April); and
 - (b) the employee has been on duty for at least the number of days equivalent to 80% of the number of sitting days of the Senate in the previous 12 months ending 30 April.

Salary advancement for employees performing temporary assignment at a higher level

- 28.4 Subject to the requirements outlined in clause 28.1, employees who, at the time of assessment, are on temporary assignment at a higher classification level will be eligible to advance one salary point at the higher classification level for the remainder of the period on temporary assignment.

Salary advancement – apprentices

- 28.5 Where an employee who has been apprenticed under clause 26.22 completes that apprenticeship, the Clerk may engage the person without further action if a vacancy occurs and the apprentice has been determined as having satisfactory performance and meeting the selection criteria for that vacancy. An employee engaged in this way shall commence at the second point of the Australian Parliamentary Service Level 1/2 (upper band) salary scale.
- 28.6 Where an apprentice gains their trade certificate before the normal completion period and a vacancy does not exist or occur, the department will continue the employment of that apprentice until the date that the apprenticeship would have otherwise ended. In this case, payment to the apprentice on attaining qualifications will be at the second point of the Australian Parliamentary Service Level 1/2 (upper band) salary scale.

Movement above the APS Level 1/2 work value barrier

- 28.7 The Clerk may at any time approve movement above the work value barrier in the Australian Parliamentary Service Level 1/2 broadband classification if the duties of the position are commensurate with the Australian Parliamentary Service Level 2 classification and the program manager attests that the employee is assessed as “effective or better”, and competent to perform the duties at the upper band level.

29. Superannuation choice

- 29.1 Eligible employees may exercise superannuation choice in accordance with the relevant Commonwealth legislation. The department's preference is to deal with superannuation funds that allow employee and/or employer contributions to be paid through electronic funds transfer.
- 29.2 Where an employee chooses a superannuation fund other than the department's nominated default fund, the Public Sector Superannuation Accumulation Plan, the department will make an employer contribution equal to the contribution payable to the default fund.

30. Allowances

First aid allowance

- 30.1 Where an employee possesses a current first aid certificate and the employee has been designated as a first aid officer, the employee will be paid an allowance of \$22.01 per fortnight.

Footwear allowance

- 30.2 Where an employee is required to wear particular footwear, either for safety reasons or as part of a uniform, he or she shall be entitled to a footwear allowance (including for socks and stockings) of \$258.34 per annum. The allowance shall be paid on commencement and then on each anniversary of commencement.

House Sitting Allowance, Committee Allowance, and Special Additional Leave

- 30.3 The Clerk may authorise the payment of a House Sitting Allowance (HSA), a Committee Allowance (CA) or, as an alternative, the grant of Special Additional Leave (SAL), to employees at the Parliamentary Executive levels. Claims for HSA, CA or SAL will be made and calculated in accordance with relevant departmental guidelines.
- 30.4 Where HSA or CA is payable, payment shall be made at the rate of \$209.80 per occasion. Where an entitlement exists to SAL, it shall be granted on an hour for hour basis up to a maximum of 150 hours per calendar year.
- 30.5 Payment of HSA and CA will be made on a quarterly basis.
- 30.6 On 1 January each year, SAL accrued during the previous year will be added to annual leave credits and will be considered to be annual leave for all purposes.

Meal allowance

- 30.7 If employees are required to work overtime, or perform additional duty which attracts HSA, CA or SAL, and the period of overtime or additional duty commences before and extends beyond the completion of a meal period, they will be paid a meal allowance of \$16.00.
- 30.8 For the purposes of this clause a meal period is:
- Monday to Friday 7.00am to 7.30am;
6.30pm to 7.30pm; and
12.30am to 1.00am.
- Saturday, Sunday and public holidays 7.00am to 7.30am;
12.30pm to 1.30pm;
6.30pm to 7.30pm; and
12.30am to 1.00am.
- 30.9 Meal allowance claims submitted by employees at the Parliamentary Executive level will be paid on a quarterly basis.

Senior Clerk of Committees allowance

- 30.10 The occupant of the position of Senior Clerk of Committees will be paid an allowance of \$13,270 per annum, to be paid as a fortnightly allowance. This allowance is payable in recognition of the added responsibilities borne by the employee performing the duties of the position.
- 30.11 The following conditions apply to the payment of this allowance:
- (a) subject to clause 26.11, it is not payable for the first two weeks of any period of temporary assignment;
 - (b) it is a taxable allowance but will not count for superannuation purposes;
 - (c) the allowance will continue to be paid during periods of paid leave (including "cash out" provisions); and
 - (d) it will be included as salary for the purposes of calculating final entitlements in respect of payment in lieu of annual or long service leave.

Adjustments to allowances

- 30.12 The meal allowance will be reviewed annually by the Workplace Consultative Committee and, subject to agreement by the Clerk, will be adjusted where necessary.
- 30.13 An annual adjustment will be made from the commencement of the first full pay period in May to the following allowances at the same percentage rate as salary increases as outlined in clause 27.1.
- First Aid Allowance;
 - Footwear Allowance;
 - House Sitting Allowance and Committee Allowance; and
 - Senior Clerk of Committees Allowance.