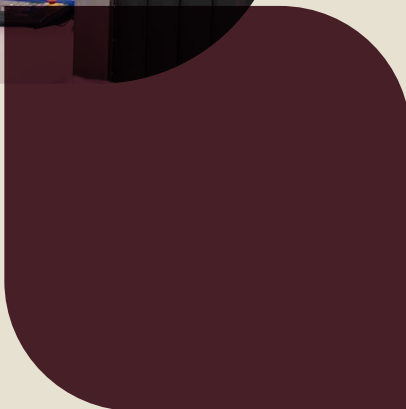
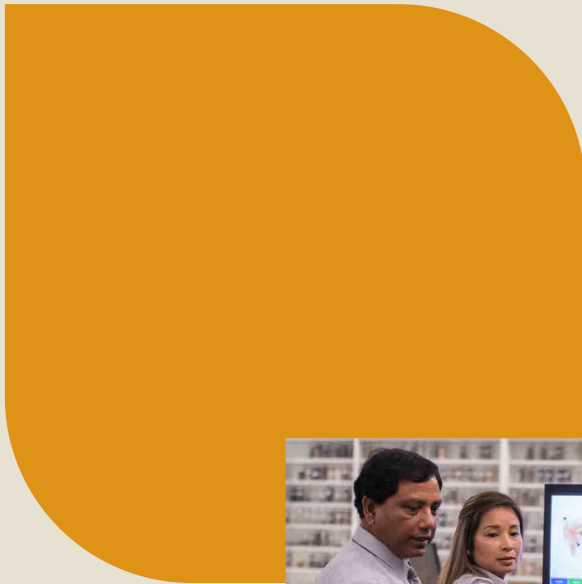




Australian Government
Department of Agriculture,
Fisheries and Forestry

Enterprise Agreement 2024–27



Department of Agriculture Fisheries and Forestry - Enterprise Agreement 2024-2027

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Acknowledgement of Country

We acknowledge the Traditional Custodians of Australia and their continuing connection to land and sea, waters, environment and community. We pay our respects to the Traditional Custodians of the lands we live and work on, their culture, and their Elders past and present.

Table of Contents

Section 1: Technical matters	1
Title	1
Parties to the agreement	1
Operation of the agreement.....	1
Delegations	1
National Employment Standards (NES) precedence	1
Closed comprehensive agreement	1
Definitions	2
Individual flexibility arrangements	5
Section 2: Remuneration	7
Salary rates and increases.....	7
Payment of salary	7
Salary setting.....	7
Salary on reduction	8
Salary progression.....	8
Superannuation	9
Salary packaging.....	10
Overpayments and underpayments	10
Supported wage system.....	11
Section 3: Allowances and reimbursements	12
Higher duties allowance.....	12
Temporary reassignment to SES duties	12
Workplace responsibility allowances.....	12
Community language allowance.....	13
Departmental Liaison Officer allowance.....	14
Outdoor and working conditions allowance.....	14
Camping allowance	15
At sea allowance	16
Working in the air allowance	16
Motor vehicle allowance.....	16
Overtime meal allowance	17
Cadet allowance.....	17
Veterinarian continued professional development allowance	17
OPV and Live Animal/Operational VO2 additional responsibility allowance	17

Veterinarian operational hours allowance	18
Excess fares	18
Dependant care reimbursements	18
Uniforms	19
Eyesight testing/spectacle reimbursement	19
Loss or damage to employee’s clothing or personal effects	20
Meat inspector disturbance allowance	20
Section 4: Classifications and broadbands	21
Classifications.....	21
Broadbands	23
Training broadband.....	24
Graduates.....	26
Work level standards	27
Section 5: Working hours and arrangements.....	28
Job security	28
Casual (irregular or intermittent) employment	28
Non-ongoing employment.....	30
Working hours.....	31
Bandwidth	31
Recording working hours	31
Advising absence.....	32
Meal breaks.....	32
Scheduled environments	32
Working from a department vehicle.....	33
Flex time.....	33
Executive Level working arrangements	34
Overtime	35
Emergency recall to duty	38
Restriction	39
Shift work	40
Flexible working arrangements.....	42
Requesting formal flexible working arrangements.....	42
Varying, pausing or terminating flexible working arrangements	44
Working from home.....	45
Ad hoc arrangements.....	45

Altering span of hours (bandwidth)	46
Extra duty in the field arrangements	46
OPV and meat inspectors – allocation to meat establishments	47
Part time work	47
Job sharing	48
Christmas closedown	48
Public holidays	50
Section 6: Leave	52
Annual leave.....	52
Purchased leave	53
Deferred salary leave scheme.....	53
Personal/carer’s leave	54
Minor workplace injury leave	55
Portability of leave	56
Leave without pay	56
Miscellaneous leave.....	56
Long service leave	57
Cultural, ceremonial and NAIDOC leave	57
NAIDOC leave	57
First Nations ceremonial leave.....	57
Cultural leave	57
Parental leave	57
Payment during parental leave.....	58
Adoption and long term foster care	59
Stillbirth.....	59
Pregnancy loss leave	60
Premature birth leave	60
Transitional provisions.....	60
Compassionate leave	60
Bereavement leave	61
Emergency response leave	61
Jury duty.....	62
Crisis leave	62
Volunteer leave.....	62

Defence reservist leave.....	62
Defence service sick leave	63
Leave to attend proceedings	63
Leave to count as service	64
Re-crediting of leave	64
Unauthorised absence	65
Section 7: Employee support and workplace culture	66
Blood donation.....	66
Vaccinations.....	66
Employee Assistance Program.....	66
Respect at work	66
Family and domestic violence support	67
Integrity in the APS	68
First Nations cultural competency training.....	69
Lactation and breastfeeding support.....	69
Disaster support.....	69
Section 8: Performance and development	71
Performance and development	71
Workloads	73
OPV workload verification tool.....	73
Career pathway for Biosecurity Officers.....	74
Study assistance	74
Learning and development	76
Professional qualifications and registrations.....	76
OPV continuing professional development	77
Section 9: Travel and location based conditions	78
Travel	78
Relocation assistance.....	82
Remote localities.....	82
Overseas postings	90
Section 10: Consultation, representation and dispute resolution.....	91
Consultation.....	91
National consultative committee	94
APS consultative committee	95
Dispute resolution.....	95
Delegates' rights	97

Section 11: Separation and retention	99
Resignation	99
Termination for misconduct	99
Payment on death of an employee.....	99
Redeployment, retraining and redundancy.....	99
Attachment A: Base salaries	107
Attachment B: Salary-related allowance increases	113
Attachment C: Supported Wage System	117

Tables

Table 1 Community language allowance rates	13
Table 2 Disturbance allowance	20
Table 3 Cadet rates of pay	25
Table 4 Apprentice rate of pay	25
Table 5 Casual penalty	29
Table 6 Non-ongoing employee payment on termination	30
Table 7 Overtime rates	35
Table 8 Shift loadings	40
Table 9 Primary caregivers – circumstances for paid parental leave	58
Table 10 Secondary caregivers – circumstances for paid parental leave	59
Table 11 Remote localities – Grading, District allowance and Additional annual leave.....	83
Table 12 Former remote localities – additional annual leave, district allowance and leave fares assistance.....	85
Table 13 Air conditioning subsidy calculation.....	86
Table A1 General Employment Stream pay scale	107
Table A2 Meat inspector pay scale	108
Table A3 Meat Inspector Training Broadband pay scale	108
Table A4 Training Broadband pay scale	108
Table A5 Public Affairs Officers Stream pay scale.....	109
Table A6 Legal Officers Stream pay scale	110
Table A7 Research Scientist Stream pay scale	110
Table A8 Veterinary Stream pay scale	111
Table A9 On Plant Veterinarian (OPV) pay scale	112
Table A10 Preserved Veterinary Classification pay scale.....	112
Table B1 – salary related allowances (other than remote localities)	113
Table B2 Remote localities allowances.....	114
Table C1 Applicable percentage of relevant minimum wage paid to applicable employees.....	118

Section 1: Technical matters

Title

1. This agreement will be known as the *Department of Agriculture, Fisheries and Forestry Enterprise Agreement 2024-2027*.

Parties to the agreement

2. This agreement covers:
 - 2.1 the Secretary, for and on behalf of the Commonwealth of Australia as the employer;
 - 2.2 all employees in the department employed under the *Public Service Act 1999* (PS Act) other than:
 - 2.2.1 Senior Executive Service (SES) employees or equivalent; and
 - 2.3 subject to notice being given in accordance with section 183 of the *Fair Work Act 2009* (FW Act), the following employee organisation/s which were a bargaining representative for this agreement:
 - 2.3.1 Community and Public Sector Union; and
 - 2.3.2 Professionals Australia.

Operation of the agreement

3. This agreement will commence operation 7 days after approval by the Fair Work Commission.
4. This agreement will nominally expire on 28 February 2027.

Delegations

5. The Secretary may delegate to or authorise any person to perform any or all of the Secretary's powers or functions under this agreement, including the power of delegation, and may do so subject to conditions.

National Employment Standards (NES) precedence

6. The terms of this agreement are intended to apply in a manner that does not derogate from the NES. The NES will continue to apply to the extent that any term of this agreement is detrimental to an employee of the department in any respect when compared with the NES.

Closed comprehensive agreement

7. This agreement states the terms and conditions of employment of employees covered by this agreement, other than terms and conditions applying under relevant Commonwealth laws.

8. This agreement will be supported by policies and guidelines, as implemented and varied from time to time.
9. Policies and guidelines are not incorporated into and do not form part of this agreement. To the extent that there is any inconsistency between policies and guidelines and the terms of this agreement, the terms of this agreement will prevail.

Definitions

10. The following definitions apply to this agreement:

Agreement means the *Department of Agriculture, Fisheries and Forestry Enterprise Agreement 2024-2027*.

APS means the Australian Public Service.

APS agency means an agency whose employees are employed under the PS Act, including an agency as defined in section 7 of the PS Act whose employees are employed under that Act.

APS consultative committee means the committee established by the APS Commissioner to consider matters pertaining to the (APS) employment relationship and of interest to the APS as a whole.

Australian Defence Force Cadets means the Australian Navy Cadets, Australian Army Cadets, or the Australian Air Force Cadets.

Bandwidth means the span of hours during which an employee can perform ordinary hours.

Broadband refers to the allocation of more than one approved classification by the Secretary to a group of duties involving work value applying to more than one classification under sub-rule 9(4) of the *Public Service Classification Rules 2000*. A broadband encompasses the full range of work value of the classifications contained within it.

Cadet means an employee who is employed under a department run cadet program or the APS Cadet Program to work part time while completing their course of study on a full time basis at a tertiary institution.

Casual employee (irregular or intermittent employee) means an employee engaged under section 22(2)(c) of the PS Act who:

- a. is a casual employee as defined by the FW Act; and
- b. works on an irregular or intermittent basis.

Classification or classification level means the approved classifications as set out in rule 5 of the *Public Service Classification Rules 2000*.

Child means a biological child, adopted child, foster child, stepchild, or ward.

De facto partner means a person who, regardless of gender, is living in a common household with the employee in a bona fide, domestic, interdependent partnership, although not legally married to the employee. This includes a former de facto partner.

Department means the Department of Agriculture, Fisheries and Forestry.

Dependant means the employee's spouse or de facto partner, a child, parent or aged relative of the employee or the employee's spouse or de facto partner, who ordinarily lives with the employee and who is substantially dependent on the employee. Dependant also includes a child of the employee who does not ordinarily live with the employee but for whom the employee provides substantial financial support.

EL employee means a person who is employed by the department as an Executive Level 1 or equivalent, or an Executive Level 2 or equivalent.

Employee means an employee of the Commonwealth engaged under section 22(2) of the PS Act who is covered by this agreement (whether full time, part time or casual, ongoing or non-ongoing).

Employee representative means a person (whether an employee or not) elected or chosen by an employee, or elected or chosen by a group of employees in a workplace, to represent the individual and/or collective views of those employees in relation to a matter under this agreement.

Family means:

- a. a spouse, former spouse, de facto partner or former de facto partner of the employee;
- b. a child, parent, grandparent, grandchild, or sibling of the employee;
- c. a child, parent, grandparent, grandchild, or sibling of a spouse, former spouse, de facto partner or former de facto partner of the employee;
- d. a member of the employee's household; or
- e. a person with whom the employee has a relationship of traditional kinship where there is a relationship or obligation, under customs and traditions of the community or group to which the employee belongs.

Family and domestic violence has the same meaning as in section 106B(2) of the FW Act.

First Nations means Aboriginal and or Torres Strait Islander groups.

First Nations employee means a person who identifies as Aboriginal and or Torres Strait Islander.

Full time employee means an employee employed to work an average of 37 hours and 30 minutes per week in accordance with this agreement.

FW Act means the *Fair Work Act 2009* as amended from time to time.

Graduate means an employee employed under the Department's Graduate Program with the required tertiary qualifications.

Manager means an employee's direct manager who is usually the person to whom an employee reports to on a day-to-day basis for work related matters (also referred to as a supervisor) For meat inspectors at level 1 and 2, for performance and development process purposes this means a meat inspector at level 3 or 4.

Meat establishment means registered premises under the *Export Control Act 2020* that produces edible and/or inedible meat and meat products for export (e.g. an abattoir).

Meat inspector means an employee engaged to perform regulatory meat inspection functions at meat establishments.

ML Act means the *Maternity Leave (Commonwealth Employees) Act 1973* as amended from time to time and any successor legislation.

Non-ongoing employee means an employee engaged under section 22(2)(b) of the PS Act for a specified term or for the duration of a specified task, and consistent with the FW Act.

NES means the National Employment Standards at Part 2-2 of the FW Act.

Ongoing employee means an employee engaged under section 22(2)(a) of the PS Act.

On-Plant Veterinarian (OPV) means an employee engaged under the On-Plant Veterinarian pay scale in Attachment A.

Ordinary hours, duty or work means an employee's usual hours worked in accordance with this agreement and does not include additional hours.

Parliamentary service means employment under the *Parliamentary Service Act 1999*.

Partner means a spouse, former spouse, de facto partner, or a former de facto partner.

Part time employee means an employee whose ordinary hours are less than 37 hours and 30 minutes per week in accordance with this agreement.

Primary caregiver for the purposes of the parental leave clause means a pregnant employee with an entitlement under the ML Act, or an employee other than a casual employee who has primary care responsibility for a child who is born to them or who is adopted or in long term foster care as per the clauses on adoption and long term foster care in this agreement.

PS Act means the *Public Service Act 1999* as amended from time to time.

Regional employee means an employee based in any location other than the Canberra Head Office.

Relevant employee means an affected employee.

Rover means an additional Food Safety Meat Assessor resource allocated duties at an establishment to assist with the workload of the On Plant Vet when the workload exceeds a full time workload.

Secondary caregiver for the purposes of the parental leave clause means an employee, other than a pregnant employee or casual employee, who has secondary care responsibility for a child who is born to them, or for a child who is adopted or in long term foster care as per the clauses on adoption and long term foster care in this agreement.

Secretary means the Secretary of the Department of Agriculture, Fisheries and Forestry or the Secretary's delegate.

SES means the Senior Executive Service, established under section 35 of the PS Act. Also used as 'SES employee', meaning a department employee who is classified as a SES employee under the *Public Service Classification Rules 2020*.

Shift worker means an employee (including part time employees) who is rostered to perform ordinary duty outside the period 6.30am to 6.30pm, Monday to Friday, and/or on Saturdays, Sundays or public holidays, for an ongoing or fixed period.

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

Trainee/Apprentice means an employee who is employed to undertake a course of training as determined by the Secretary (in-house programs) or the relevant program guidelines (Commonwealth wide programs), which may include practical and course based work.

Usual location of work means the employee's standard place of work will be the designated office location identified in the employee's letter of offer or other engagement documentation. If no designated office location was specified on engagement, the Secretary may specify a designated office location by advising the employee in writing. The department and employee may agree to vary the employee's designated office location on a temporary or permanent basis.

Individual flexibility arrangements

11. The department and an employee covered by this agreement may agree to make an individual flexibility arrangement to vary the effect of terms of this agreement if:

11.1 the agreement deals with one or more of the following matters:

11.1.1 arrangements about when work is performed;

11.1.2 overtime rates;

11.1.3 penalty rates;

11.1.4 allowances;

11.1.5 remuneration; or

11.1.6 leave and leave loading; and

11.2 the arrangement meets the genuine needs of the department and employee in relation to one or more of the matters mentioned in clause 11.1; and

11.3 the arrangement is genuinely agreed to by the Secretary and employee.

12. The department must ensure that the terms of the individual flexibility arrangement:

12.1. are about permitted matters under section 172 of the FW Act;

12.2. are not unlawful terms under section 194 of the FW Act; and

12.3. result in the employee being better off overall than the employee would be if no arrangement was made.

13. The department must ensure that the individual flexibility arrangement:
 - 13.1. is in writing;
 - 13.2. includes the name of the department and employee;
 - 13.3. is signed by the Secretary and employee and, if the employee is under 18 years of age, signed by a parent or guardian of the employee; and
 - 13.4. includes details of:
 - 13.4.1. the terms of the enterprise agreement that will be varied by the arrangement;
 - 13.4.2. how the arrangement will vary the effect of the terms;
 - 13.4.3. how the employee will be better off overall in relation to the terms and conditions of their employment as a result of the arrangement; and
 - 13.5. states the day on which the arrangement commences.
14. The department must give the employee a copy of the individual flexibility arrangement within 14 days after it is agreed to.
15. The department or employee may terminate the individual flexibility arrangement:
 - 15.1. by giving no more than 28 days written notice to the other party to the arrangement; or
 - 15.2. if the department and employee agree in writing – at any time.
16. The department and employee are to review the individual flexibility arrangement at least every 12 months.

Section 2: Remuneration

Salary rates and increases

17. Salary rates will be as set out in Attachment A of this agreement.
18. The base salary rates in Attachment A include the following increases:
 - 18.1. 4.0% from the first full pay period on or after 1 March 2024 (the 14 March 2024);
 - 18.2. 3.8% from the first full pay period on or after 1 March 2025 (the 13 March 2025);
and
 - 18.3. 3.4% from the first full pay period on or after 1 March 2026 (the 12 March 2026).
19. In recognition of a common alignment date of the first full pay period on or after 1 March each year, the base salary rates in Attachment A were calculated based on base salary rates as at 31 August 2023.

Payment of salary

20. Employees will be paid fortnightly in arrears by electronic funds transfer into a financial institution account of the employee's choice, based on their annual salary using the following formula:

$$\text{Fortnightly salary} = \frac{\text{Annual salary} \times 12}{313}$$

Note: This formula is designed to achieve a consistent fortnightly pay rate without significant variability year to year. It reflects that the calendar year is not neatly divisible into 26 fortnightly periods. There are 313 fortnightly pay cycles within a 12 year period.

Salary setting

21. Where an employee is engaged, moves to or is promoted in the department, the employee's salary will be paid at the minimum of the salary range of the relevant classification, unless the Secretary determines a higher salary within the relevant salary range under these salary setting clauses.
22. For meat inspector classified employees, the Secretary may approve a salary at a higher pay point if:
 - 22.1. the employee's skills, knowledge and experience exceed the standard that would normally be expected on commencement at the classification;
 - 22.2. the contribution that the employee is able to make immediately exceeds the contribution that would normally be expected on commencement at the classification;
or
 - 22.3. the employee proposes, and the Secretary agrees that a higher salary is justified.

23. The Secretary may determine the payment of salary at a higher value within the relevant salary range of the relevant classification and the date of effect at any time.
24. In determining a salary under these salary setting clauses, the Secretary will have regard to a range of factors (as relevant) including the employee's experience, qualifications and skills.
25. Where an employee commences ongoing employment in the department immediately following a period of non-ongoing employment in the department, the Secretary will determine the employee's salary within the relevant salary range of the relevant classification which recognises the employee's prior service as a non-ongoing employee in the department.
26. Where an employee commences ongoing employment in the agency immediately following a period of casual employment in the department, the Secretary will determine the employee's salary within the relevant salary range of the relevant classification which recognises the employee's prior service as a casual employee in the department.
27. Where an ongoing APS employee moves to the department at the same classification directly from another APS agency, the employee's new salary will be set at the salary within the same classification that is closest to but not lower than the salary paid in the former APS agency.
28. Where an APS employee moves to the department at the same classification from another APS agency, and their salary is above the maximum of the salary range for their classification, the Secretary will maintain the employee's salary at that level, until it is absorbed into the salary range for that classification.
29. Where the Secretary determines that an employee's salary has been incorrectly set, the Secretary may determine the correct salary and the date of effect.

Salary on reduction

30. Where an employee permanently moves to a lower classification (for reasons other than misconduct or underperformance), their salary will be payable at the highest pay point in the salary range of the lower classification.

Salary progression

31. Employees will receive an annual increase in their salary (substantive and/or acting) to the next higher pay point in their classification as set out in Attachment A of this agreement, if on 1 September each year:
 - 31.1. their performance is assessed at the end of performance cycle as 'met expectations';
 - 31.2. they are not already receiving salary at the highest pay point of their substantive and, if applicable, acting classification level(s); and
 - 31.3. they have 6 months of aggregate eligible service in the department at or above their current pay point during the most recent annual performance and development cycle. If an employee has less than 6 months of aggregate eligible service, the Secretary may exercise their discretion to determine a higher salary under the salary setting clauses in this agreement.

32. Eligible service for salary progression will include:
- 32.1. period of service in the department at the employee's substantive or acting level;
 - 32.2. periods of paid leave and unpaid parental leave;
 - 32.3. periods of paid or unpaid personal/carer's leave;
 - 32.4. periods of unpaid leave that count as service (refer to clauses 416 and 463);
 - 32.5. service while employed on a non-ongoing basis; and
 - 32.6. work in another Commonwealth agency if the employee's supervisor in that agency provides an assessment of the employee that indicates satisfactory performance.
33. During a period of unpaid parental leave employees will be eligible to advance a maximum of one pay point, regardless of the length of unpaid parental leave.
34. Employees who are acting at a higher classification, and satisfy the eligibility criteria, will be eligible for salary progression at both their substantive and acting classifications.
35. Salary progression while acting at a higher classification, will be retained for future acting duties at, or promotion to, that classification regardless of elapsed time.

Superannuation

36. The department will make compulsory employer contributions as required by the applicable legislation and fund requirements.
37. Employer superannuation contributions will be paid on behalf of employees during periods of paid leave that count as service.
38. The department will make employer superannuation contributions to any eligible superannuation fund, provided that it accepts payment by fortnightly electronic funds transfer (EFT) using a file generated by the department's payroll system.

Method for calculating superannuation salary

39. The department will provide an employer contribution of 15.4% of the employee's Fortnightly Contribution Salary for employees in the Public Sector Superannuation Accumulation Plan (PSSap) and Ordinary Time Earnings for employees in other accumulation funds.
40. Employer contributions will be made for all employees covered by this agreement.
41. Employer contributions will not be reduced by any other contributions made through salary sacrifice arrangements.

Payment during unpaid parental leave

42. Employer contributions will be paid on periods of unpaid parental leave in accordance with the requirements of the PSSap fund where the employee is a member of the PSSap and up to a maximum of 52 weeks at the employee's nominal ordinary rate of pay where the employee is a member of an accumulation fund other than PSSap.

43. Where an employee is a member of an accumulation fund other than PSSap, employer contributions will be paid on periods of unpaid parental leave at the employee's nominal ordinary rate of pay for periods of leave up to a maximum of 52 weeks.

Salary packaging

44. All employees covered by this agreement can access the department's salary packaging arrangement. The employee's pre-sacrifice salary will be their salary for the purposes of this agreement. Further information is available in the department's salary packaging guidelines.

Overpayments and underpayments

Overpayments

45. An overpayment occurs if the Secretary (or the department) provides an employee with an amount of money to which the employee was not entitled (including but not limited to salary, entitlements, allowances, travel payment and/or other amount payable under this agreement).
46. Where the Secretary considers that an overpayment has occurred, the Secretary will provide the employee with notice in writing. The notice will provide details of the overpayment.
47. If an employee disagrees that there has been an overpayment including the amount of the overpayment, they will advise the Secretary in writing within 28 calendar days of receiving the notice. In this event, no further action will be taken until the employee's response has been reviewed.
48. If after considering the employee's response (if any), the Secretary confirms that an overpayment has occurred, the overpayment will be treated as a debt to the Commonwealth that must be repaid to the department in full by the employee.
49. The Secretary and the employee will discuss a suitable recovery arrangement. A recovery arrangement will take into account the nature and amount of the debt, the employee's circumstances and any potential hardship to the employee. The arrangement will be documented in writing.
50. The department and employee may agree to make a deduction from final monies where there is an outstanding payment upon cessation of employment.
51. Interest will not be charged on overpayments.
52. Nothing in clauses 45 to 51 prevents:
- 52.1 the department from pursuing recovery of the debt in accordance with an Accountable Authority Instruction issued under the *Public Governance, Performance and Accountability Act 2013*;
 - 52.2 the department from pursuing recovery of the debt through other available legal avenues; or
 - 52.3 the employee or the department from seeking approval to waive the debt under the *Public Governance, Performance and Accountability Act 2013*.

Underpayments

53. Where an employee has been underpaid salary or allowances, the department will correct the situation as quickly as practicable.

Supported wage system

54. An employee may be paid a percentage of the relevant pay rate for their classification in line with their assessed capacity to do the work if they:
 - 54.1 have a disability;
 - 54.2 meet the criteria for a Disability Support Pension; and
 - 54.3 are unable to perform duties to the capacity required.
55. Specific conditions relating to the supported wage system are detailed in Attachment C.

Section 3: Allowances and reimbursements

Higher duties allowance

56. Where a role needs to be filled for 5 or more working days, higher duties allowance will be paid to any employee temporarily occupying the role acting at a classification level higher than their substantive classification level.
57. Higher duties allowance will normally be equal to the difference between the employee's current salary and the salary that would be payable if they were promoted to the higher classification level, or a higher amount determined by the Secretary having regard to the experience, qualification and skills of the employee.
58. Where an employee is found to be eligible for salary progression at their acting classification level they will receive an appropriate increase in the rate of higher duties allowance. The employee's salary level will be retained for all future periods of acting regardless of elapsed time.
59. Where an employee is assigned only part of the higher duties, the Secretary will determine the amount of allowance payable.
60. Higher duties allowance will be payable while an employee is acting at a higher classification level as part of a job sharing arrangement where the duration of the arrangement is at least 5 or more working days.
61. The Secretary may shorten the qualifying period for higher duties allowance on a case by case basis.
62. Higher duties allowance will be paid during periods of leave or for a public holiday where the Secretary determines that the employee would have continued on temporary reassignment of duties but for the leave or the public holiday.
63. Where a temporary reassignment period is extended (and the extended period adjoins the initial period), both periods will be regarded as one period.

Temporary reassignment to SES duties

64. Where a non-SES employee is temporarily assigned duties at the SES level or equivalent for a period of 5 or more working days, the employee will be remunerated at the base rate of the SES Band 1 salary range. The Secretary may determine a higher level of additional remuneration or additional benefits depending on the length of time the employee is acting at the SES level and/or the skills and knowledge the employee brings to the role.

Workplace responsibility allowances

65. A workplace responsibility allowance will be paid where the department has appointed or an employee has been elected by eligible peers to one of the following roles:
 - 65.1 First Aid Officer;
 - 65.2 Health and Safety Representative;

- 65.3 Emergency Warden;
 - 65.4 Harassment Contact Officer; and
 - 65.5 Mental Health First Aid Officer.
66. An employee is not to receive more than one workplace responsibility allowance unless approved by the Secretary due to operational requirements.
 67. The allowance will be \$34.56 per fortnight on commencement of the agreement.
 68. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).
 69. The full allowance is payable regardless of flexible work and part time arrangements.
 70. An employee’s physical availability to undertake the role will be considered by the department when appointing and reappointing employees to these roles. This is noting that not all workplace responsibility roles will necessarily require a physical presence in the workplace for the role to be successfully undertaken, such as Harassment Contact Officers, Mental Health First Aid Officers and Health and Safety Representatives depending on work group arrangements.
 71. Casual employees who are eligible to receive a workplace responsibility allowance will be paid the full amount (noting the minimum rate), as varied from time to time provided they engage in work during any given pay cycle, irrespective of the frequency and duration of the work undertaken.

Community language allowance

72. A community language allowance will be paid where the Secretary determines that an employee is regularly required to use their ability to communicate in Braille or a language other than English (including First Nations languages and AUSLAN) in the course of their work, and the employee meets the required level of competency set by the Secretary. Further information is included in policy.
73. The allowance is paid in accordance with the employee’s level of competency:

Table 1 Community language allowance rates

Rate	Standard	Rate from commencement of this agreement (\$ p.a.)	Rate from 13 March 2025 (\$ p.a.)	Rate from 12 March 2026 (\$ p.a.)
1	An employee who has adequate language skills, as determined by an individual or body approved by the Secretary, for simple communication.	2,193	2,276	2,353
2	An employee who is certified by the National Accreditation Authority for Translators and	3,630	3,768	3,896

Rate	Standard	Rate from commencement of this agreement (\$ p.a.)	Rate from 13 March 2025 (\$ p.a.)	Rate from 12 March 2026 (\$ p.a.)
	Interpreters (NAATI) as a Translator or Interpreter at any level; or is assessed to be at the equivalent level by an individual or body approved by the Secretary.			

p.a. per annum.

74. The allowance is calculated annually and paid fortnightly.
75. The full allowance is payable regardless of flexible work and part time arrangements.
76. The allowance is payable during periods of paid leave.
77. The allowance counts as salary for superannuation purposes and for calculating retirement and redundancy entitlements.

Departmental Liaison Officer allowance

78. An employee who works as a Departmental Liaison Officer in the office of the Minister or Assistant Minister associated with the department is entitled to be paid a Departmental Liaison Officer allowance of \$22,865 per annum.
79. As a salary related allowance, the rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Outdoor and working conditions allowance

80. Employees who are routinely directed to undertake duties outdoors and in similar conditions as defined in clause 81 will be paid an annual allowance of \$2,381. Employees who undertake predominantly office or desk based duties are not eligible for this allowance.
81. The allowance recognises the discomfort associated with performing duty outdoors and/or other environments including third party premises such as airports, seaports, and meat establishments, and the duty exposes them to conditions including:
 - 81.1 working in hot or cold places including refrigerated workspaces, hot houses, and exposure to the weather and/or sun;
 - 81.2 working in wet places, including standing in water;
 - 81.3 working in dusty or dirty conditions;
 - 81.4 regular handling or use of agricultural chemicals including herbicides and pesticides, and other non-household grade poisonous or toxic substances and disinfectants;
 - 81.5 working in the vicinity of moving and heavy machinery e.g. conveyor belts, forklifts, trolley carts, trucks, aircraft etc;

- 81.6 boarding and performing duties on commercial and non-commercial cargo and other vessels;
 - 81.7 collection, removal and/or disposal of agricultural or bulk waste materials e.g. biosecurity waste, animal/plant surveillance samples, lab waste, and animal carcasses; or
 - 81.8 animal husbandry, including handling of live and dead animals (including animal carcasses).
82. Where an employee is no longer routinely exposed to conditions as defined in clause 81, the outdoor and working conditions allowance will no longer be applicable.
83. The allowance is paid on a pro rata basis for part time staff.
84. Subject to Secretary approval, an employee who performs periods of field work in the conditions described in clause 81 on an irregular or occasional basis may be eligible to be paid an outdoor and working conditions allowance daily rate for each day or part day. Where approved by the Secretary, the employee will be paid a daily allowance of the amount equivalent to the daily pro rated annual allowance.
85. Receipt of the outdoor and working conditions allowance does not preclude an employee from receiving any other allowance for which they are eligible.
86. Employees will be eligible to receive an operational in field first aid allowance where they are currently receiving the outdoor and working conditions allowance and it is an inherent requirement of their role to hold and maintain current first aid certification (for example due to the isolated nature of their duties or to fulfil operational policy requirements). The rate of the operational in field first aid allowance is \$899 at commencement of the agreement.
87. As salary related allowances, the rate of outdoor and working conditions allowance and operational in-field first aid allowance will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).
88. The outdoor and working conditions allowance and operational in field first aid allowance counts as salary for all purposes.

Camping allowance

89. Employees who perform field work and are required to camp overnight for official purposes, whether performing duty or not, will be paid a camping allowance of \$128.97, for each day or part day of the field trip.
90. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).
91. Receipt of this allowance is to compensate for the inconvenience, isolation, and discomfort associated with camping for official purposes in makeshift accommodation, including a swag or tent.
92. Receipt of the camping allowance will not preclude an employee from receiving other allowances for which they are eligible.

93. An employee will also be reimbursed for any camping fees that are required. Where possible, camping fees will be discussed and agreed with the Secretary in advance of field work commencing.
94. Employees required to continue camping for official purposes on a Saturday, Sunday, or public holiday and who are not on duty on these days, will receive hour for hour time off in lieu up to a maximum of 7 hours 30 minutes per day.

At sea allowance

95. Employees required to perform work duties at sea overnight on non-passenger vessels (including Navy and Home Affairs vessels) whether performing active duty or not, will be paid the at sea allowance of \$128.97, for each day or part day they are at sea.
96. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).
97. Receipt of this allowance is to compensate for the inconvenience, isolation, and discomfort associated with living and working overnight at sea and the level of amenity provided on non-passenger vessels.
98. Receipt of this allowance will not preclude an employee from receiving other allowances for which they are eligible.
99. Employees required to remain at sea for official purposes on a Saturday, Sunday, or public holiday and who are not on duty on these days, will receive hour for hour time off in lieu up to a maximum of 7 hours 30 minutes per day.

Working in the air allowance

100. Employees will be paid an airborne survey allowance of \$19.97 for each hour or part hour where they are in an aircraft conducting low flying aerial survey or control activities.
101. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).
102. Receipt of this allowance will not preclude an employee from receiving any other allowance for which they are eligible.
103. When an employee incurs an increased premium on their life insurance due to the requirement to conduct low flying aerial surveys and control activities, the amount of increase will be reimbursed on submission of a claim for reimbursement by the employee.

Motor vehicle allowance

104. Where the Secretary considers that it will result in greater efficiency or involve less expense for the employee or department, the employee may request and be approved to use their own private motor vehicle or hire a vehicle at their own expense for official travel.
105. If private vehicle usage is approved, the employee will be able to claim motor vehicle allowance. The allowance will be equivalent to the rate set by the Australian Taxation Office

(ATO) for claiming a deduction for car expenses using the cents per kilometre method. The rate current until 30 June 2024 is 85 cents per kilometre, with this rate subject to adjustment from time to time consistent with the ATO indexing. Where requested by the employee, and where practicable, motor vehicle allowance can be claimed in advance.

106. For meat inspector classified employees, if the employee is required to work at a meat establishment other than their usual place of work, and they are approved to use their private vehicle, they will be paid motor vehicle allowance for the distance travelled from their home (or temporary residence when on temporary assignment) to the alternative work location and return home.

Overtime meal allowance

107. An employee working overtime is entitled to a meal allowance as outlined in clause 250.

Cadet allowance

108. Cadet employees are entitled to an allowance as set out in Attachment B, paid before the commencement of their course of study, and to reimbursement for all compulsory study fees.
109. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Veterinarian continued professional development allowance

110. Employees engaged as veterinarians and required to maintain veterinary registration to perform their role will receive an annual allowance for Continuing Professional Development (CPD) of \$2,100 paid fortnightly on a pro rata basis. The allowance recognises the need for veterinarian employees to complete CPD requirements to maintain professional registration and the costs associated with some of these activities.
111. Where eligible, veterinarian classified employees may also receive reimbursements for professional accreditation and registration under clause 583.

OPV and Live Animal/Operational VO2 additional responsibility allowance

112. OPVs and veterinarians with a VO2 local designation physically undertaking live animal export and import veterinary inspections, assessment and certification activities in the field in similarly unique and remote circumstances as OPVs will receive an annual allowance of \$2,000 paid fortnightly on a pro rata basis. The allowance recognises the additional responsibility that these employees carry in relation to the verification and certification of export meat, meat products, and live animal export and import in compliance with Australia's international trade and market access obligations, and the classification level at which this responsibility is applied.
113. This allowance will not be paid after 8 weeks continuous periods of paid leave unless required by legislation. This allowance will be paid for the first 8 weeks of continuous periods of paid leave.

114. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Veterinarian operational hours allowance

115. Veterinarian classified employees with a VO4 or VO5 local designation will receive an annual operational hours allowance of \$2,000 paid fortnightly on a pro rata basis where they are employed as a:
- 115.1 Area Technical Managers (ATMs);
 - 115.2 Field Operations Managers (FOMs); or
 - 115.3 veterinarian physically undertaking live animal export and import veterinary inspections, assessment and certification activities in similarly unique and remote circumstances as ATMs and FOMs.
116. The allowance recognises the demands of frequently working extraordinary hours outside the bandwidth in unsociable settings, frequency of travel, and impacts on work/life balance for these veterinarians who are responsible for regulating import and export pathways and animal welfare.
117. This allowance will not be paid after 8 weeks continuous periods of paid unless required by legislation. This allowance will be paid for the first 8 weeks of continuous periods of paid leave.
118. As a salary related allowance, this rate will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Excess fares

119. An employee working temporarily at a location other than their usual place of work, and who as a result incurs costs greater than the cost of travelling to and from their usual place of work, will be entitled to the reimbursement of excess fares as long as they are not in receipt of travel allowance or they have not been notified in writing that they will be permanently relocated to that place of work. The payment of excess fares to an employee based at home will be calculated from the employee's office based site.

Dependant care reimbursements

Vacation Assistance

120. Where an employee with school age or preschool age children has an application for annual leave or purchased leave during school holidays cancelled for operational reasons, the employee may be eligible for school holiday or childcare assistance.
121. On commencement of this Agreement the maximum amount of assistance will be \$25.51 per child per day. This rate will be increased on 13 March 2025 and 12 March 2026 in line with the All Groups Consumer Price Index figure from the December quarter of the previous year.

Extra Dependant Care Costs

122. The Secretary may authorise reimbursement of reasonable expenses arising from additional care arrangements that are necessary because:
 - 122.1 the employee is required to travel away from their normal work location for business purposes;
 - 122.2 the employee is directed to be on duty for additional periods outside the employee's ordinary hours of work; or
 - 122.3 other special circumstances exist that the Secretary considers justify the payment of reasonable expenses arising from additional care responsibilities.
123. Reimbursement of such expenses is subject to the employee obtaining prior approval from the Secretary.
124. In cases of exceptional circumstances where an employee is required to travel with 24 hours or less notification and is required by the department to be away from home outside normal working hours, the Secretary will reimburse reasonable costs in relation to additional family care arrangements.
125. Any government subsidy provided to the employee will be considered when deciding the amount to be reimbursed.

Uniforms

126. Where employees are required to wear a uniform, standard items will be issued to employees annually or as required via the department uniform supplier.
127. Employees who are required to wear a uniform and who have a demonstrated requirement to purchase or replace non-standard items, including polarised sunglasses (where the employee is required to routinely work outdoors), and alternative footwear, may claim reimbursement of reasonable costs for the purchase of these non-standard items at a maximum of once per year.
128. Reimbursement is subject to prior Secretary approval of the item and expenditure, and upon presentation of receipts.

Eyesight testing/spectacle reimbursement

129. The department will meet the full cost of one set of prescribed spectacles or contact lenses, where they are approved by the Secretary as necessary to undertake specialised work tasks (e.g. microscopy) which require particular visual acuity not normally required for general tasks, such as screen based equipment.
130. The department will meet the full cost of prescription safety glasses where:
 - 130.1 safety glasses are required to perform department work tasks; and
 - 130.2 the attending/dispensing optometrist's invoice or letter certifies that the lenses and frames comply with AS/NZS 1337.1:2010.

Loss or damage to employee’s clothing or personal effects

131. Where the Secretary determines that loss or damage to an employee’s clothing or personal effects is attributable to the employee’s work, the Secretary may approve reimbursement of the reasonable cost of repair, or if irreparable, the reasonable cost of replacement of the clothing or personal effects.

Meat inspector disturbance allowance

132. A meat inspector who is:

132.1 an ongoing employee; and

132.2 whose household effects are removed from one locality to another at the department’s expense in accordance with clause 625, will be paid a disturbance allowance in accordance with Table 2.

133. This allowance will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Table 2 Disturbance allowance

Employee without eligible dependant(s) (\$)	Employee with eligible dependant(s) (\$)	Additional for eligible dependant full time student (\$)
861	1,721	261 per dependant

Section 4: Classifications and broadbands

Classifications

134. Employees will hold a classification in one of the following employment streams (which are aligned to the approved classifications in the *Public Service Classification Rules 2000*, as outlined in Attachment A) of this agreement:

- 134.1 General employment stream, APS 1 to 4 (broadbanded), APS 5, APS 6 and EL 1 to EL 2;
- 134.2 Research Scientist, APS 6 to EL 2;
- 134.3 Legal Officer, APS 3 to EL 2;
- 134.4 Public Affairs Officer, APS 4 to EL 2;
- 134.5 Training Broadband, APS 1 to APS 5;
- 134.6 Veterinary Officer, APS 5 to EL 2; and
- 134.7 Meat Inspector, APS 3 to APS 6 equivalent.

Research Scientists

135. The Research Scientist employment stream is broadbanded from the APS 6 level to the EL 2 level (see Attachment A) and comprises the following designations:

- 135.1 Research Scientist (broadbanded from APS 6 to EL 1);
- 135.2 Senior Research Scientist (EL 2);
- 135.3 Principal Research Scientist (EL 2); and
- 135.4 Senior Principal Research Scientist (EL 2).

136. Salary progression within the Research Scientist, the Senior Research Scientist and the Principal Research Scientist designations will occur in accordance with clauses 31 to 35 of this agreement.

137. Advancement to Senior Research Scientist, Principal Research Scientist, Senior Principal Research Scientist and to each pay point of the Senior Principal Research Scientist designation will be determined by the Secretary on merit. Further information is contained in the department's Research Scientist Merit Advancement Policy.

Legal Officers

138. Duties assigned to a position that requires an employee to hold a degree in law or admission in Australia as a legal practitioner, and to use professional legal skills and abilities, must receive one of the following designations:

- 138.1 Legal Officer Level 1 (broadbanded from APS 3 to APS 6);
- 138.2 Senior Legal Officer (EL 1); or
- 138.3 Principal Legal Officer (EL 2).

139. Salary progression within the broadbanded Legal Officer 1 level (see Attachment A of this agreement) and within each of the other designations in clause 138 are in accordance with clauses 31 to 35 of this agreement.

Public Affairs Officers

140. Duties assigned to a position that requires an employee to hold a media cadetship or a relevant public affairs degree or diploma or to have extensive work experience, and to use professional public relations and communication skills and abilities, must receive one of the following designations:
- 140.1 Public Affairs Officer Grade 1 (broadbanded from APS 4 and APS 5);
 - 140.2 Public Affairs Officer Grade 2 (APS 6);
 - 140.3 Public Affairs Officer Grade 3 (EL 1);
 - 140.4 Senior Public Affairs Officer Grade 1 (EL 2); or
 - 140.5 Senior Public Affairs Officer Grade 2 (EL 2).
141. Salary progression within the broadbanded Public Affairs Officer Grade 1 level (see Attachment A of this agreement) and within each of the other designations in clause 140 are in accordance with clauses 31 to 35 of this agreement. Advancement to Senior Public Affairs Officer Grade 2 level is subject to a competitive selection process and will only occur if there is an ongoing vacancy at the Senior Public Affairs Officer Grade 2 level.

Meat inspectors

142. Employees engaged as a meat inspector and who holds a Certificate IV in Meat Processing (Meat Safety), must be classified as:
- 142.1 APS Meat inspector 2;
 - 142.2 APS Meat inspector 3; or
 - 142.3 APS Meat inspector 4.
143. The minimum qualification for employment as an APS Meat inspector 2, APS Meat inspector 3, or APS Meat inspector 4 is Certificate IV in Meat Processing (Meat Safety).
144. Employees engaged as a meat inspector and but who does not hold a Certificate IV in Meat Processing (Meat Safety), must be classified in the Meat inspector Training Broadband as follows:
- 144.1 if the employee has a Certificate III in Meat Processing, on commencement the employee will be classified as an APS Meat inspector 1, at pay point 3 in the meat inspector training broadband. When the employee attains a Certificate IV in Meat Processing (Safety) they will advance to an APS Meat inspector 2.
 - 144.2 if the employee possesses less than a Certificate III in Meat Processing, on commencement they will be classified as an APS Meat inspector 1, at pay point 1 in the meat inspector training broadband. When the employee attains a Certificate III in Meat Processing (Meat Safety), they will progress to pay point 3. When they attain a Certificate IV in Meat Processing (Meat Safety) they will advance to an APS Meat inspector 2.
145. A condition of the engagement in the meat inspector training broadband is that the employee must complete the meat inspector training program, including attaining a Certificate IV in Meat Processing (Meat Safety), within 12 months of commencement with the department.

Veterinarians

146. Employees engaged in the veterinary stream will receive a local designation (see veterinary stream, Attachment A):
- 146.1 Veterinary Officer 1 – VO1 (APS 5);
 - 146.2 Veterinary Officer 2 – VO2 (APS 6);
 - 146.3 Veterinary Officer 3 – VO3 (EL 1);
 - 146.4 Veterinary Officer 4 – VO4 (EL2); or
 - 146.5 Veterinary Officer 5 – VO5 (EL2).
147. Employees engaged as an OPV will:
- 147.1 on commencement be classified as an APS 6 and paid the OPV induction pay point (see OPV Pay Scale, Attachment A); and
 - 147.2 on successful completion of the OPV induction program, the employee will be advanced to the APS 6.06 pay point within the OPV Pay Scale.
148. For employees classified in the Preserved Veterinary Pay Scale (formerly the 'previous veterinarian structure' in the *Public Service (Terms and Conditions of Employment) (Biosecurity and Veterinarian Employees) Determination 2020*) in Attachment A:
- 148.1 at the commencement of this agreement they will continue to be assigned that classification and pay point;
 - 148.2 salary progression within the VO3 designation in the Preserved Veterinary Pay Scale is in accordance with clauses 31 to 35 of this agreement;
 - 148.3 movement to the veterinary stream in Attachment A will only occur following a merit based selection process.

Broadbands

149. During the life of this agreement, the Secretary may create a broadband between one or more APS and EL levels, including for specialist work areas or groups of employees.

Movements within a broadband – general employment stream

150. Movement to a higher classification as a result of salary progression is possible for employees within the general employment stream APS 1 to APS 4 broadband.
151. Movement to a higher classification within the broadband is subject to the following criteria:
- 151.1 the employee must be at the top pay point of their classification and their performance is assessed as 'met expectations' for the preceding annual performance review;
 - 151.2 where there is sufficient work available or work currently being performed by the employee at the higher level; and

- 151.3 the employee has the necessary skills, qualifications (where relevant), and experience to perform at the higher classification or the capacity to perform at the higher level with relevant training and development.
152. For movement from APS 1 to APS 2 within the broadband only criteria (clause 151.1) must be satisfied.
153. Movement to a higher classification outside the broadband is not possible through salary progression.

APS4-5 Broadband trial

154. The department will conduct a trial of an APS 4 to APS 5 broadband in the generalist employment stream in one or more work areas. This trial may be used to inform broadbands in a future agreement.
155. The trial will be commenced within 18 months of the commencement this agreement.
156. A review of the trial will be conducted before the nominal expiry date of this agreement.
157. The union will be consulted in the planning and review phases of the trial.
158. Arising from the trial, the Secretary may in accordance with clause 149 create a new APS4–APS5 broadband.

Training broadband

159. Employees allocated to the department’s training broadband (outlined in Attachment A of this agreement) will be required to undertake a mandatory training or development program. Their advancement in this broadband will be subject to successful completion of that program.
160. The Secretary may establish new training programs to develop skills to assist and support transition into the department’s workforce. Unless specified elsewhere in this agreement on completion of the training program the employee will advance to a higher classification level in the broadband provided:
- 160.1 the employee has performed satisfactorily;
- 160.2 there is sufficient work available at the higher classification level; and
- 160.3 the employee has the necessary skills and proficiencies to perform that work.

Cadets

161. Employees recruited as Cadets in a department program will undertake a course of study as determined by the Secretary. Cadets will be assigned to the APS 1 classification level within the training broadband. On successful completion of their course of study and a final 12 week work placement, Cadets will be assessed for advancement to the APS 3 classification level within the training broadband at a pay point determined by the Secretary provided:
- 161.1 the employee has performed satisfactorily;
- 161.2 there is sufficient work available at the higher classification level; and

161.3 the employee has the necessary skills and proficiencies to perform that work.

162. Cadet rates of pay will apply to the first (lowest) pay point of the training broadband APS 1 classification as set out in Attachment A, and based on the task as set out in Table 3.

Table 3 Cadet rates of pay

Task	Rate of pay
Work placement	100% of the 1st pay point of APS 1 in the Training Broadband
Full time study	65% of the 1st pay point of APS 1 in the Training Broadband

163. Leave taken during periods of full time study will be paid at the appropriate full time study rate.

Apprentices

164. Employees recruited as Apprentices in a department program will undertake a course of study approved by the Secretary. Apprentices will be assigned to the APS 1 classification within the training broadband. On successful completion of their apprenticeship these employees will be assessed for advancement to the APS 2 classification within the training broadband at a pay point determined by the Secretary provided:

164.1 the employee has performed satisfactorily;

164.2 there is sufficient work available at the higher classification level; and

164.3 the employee has the necessary skills and proficiencies to perform that work.

165. Apprentice rates of pay will be set at a percentage of the first (lowest) pay point of the training broadband APS 1 classification as set out in Attachment A and as determined by the Australian Qualifications Framework certificate level they are currently studying, rounded up to the nearest dollar, as per Table 4.

Table 4 Apprentice rate of pay

AQF certification level	Rate of pay
Undertaking Certificate Level 1	50% of the 1st pay point of APS 1 in the Training Broadband
Undertaking Certificate Level 2	65% of the 1st pay point of APS 1 in the Training Broadband
Undertaking Certificate Level 3	80% of the 1st pay point of APS 1 in the Training Broadband
Undertaking Certificate Level 4	95% of the 1st pay point of APS 1 in the Training Broadband

166. Where an employee is engaged as a school based Apprentice or school based Trainee they will be entitled, on a pro rata basis, to the same conditions to which a full time Apprentice doing the same kind of work in the same location would be entitled, as set out in clause 165.

School leaver program

167. Employees recruited to the APS School Leaver Program will undertake a course of study approved by the Secretary and will be assigned to the APS 1 classification level within the

training broadband and be paid a salary of 81% of the first (lowest) pay point of the APS 1 classification in the training broadband.

168. On successful completion of the program and subject to having performed satisfactorily the Secretary may advance the employee's salary to the second or third pay point of the APS 1 classification in the training broadband.

Graduates

169. Employees engaged to participate in the department's Graduate Program or through the APS wide graduate program will be assigned to the Graduate APS classification and be paid at the pay point 10 (equivalent of an APS 4 classification pay point 1) in the Training Broadband. The terms and conditions of the relevant program will be outlined in the employee's employment offer.
170. If the Secretary is satisfied that a Graduate's performance has met expectations at the end of the performance cycle, their salary will be advanced to pay point 11 in the Training Broadband (equivalent of an APS 4 classification pay point 2) on the first pay day after 1 September.
171. When the Secretary is satisfied that the course of training has been successfully completed, a Graduate will be allocated an operational classification as required by the classification rules and advanced to pay point 13 in the Training Broadband (equivalent of an APS 5 classification pay point 1) provided they have satisfactorily:
- 171.1 completed all learning and development requirements of the Graduate Program; and
 - 171.2 met all learning and development requirements of the Australian Government Graduate Program professional streams (if applicable).
172. Immediately following the advancement outlined in clause 170, the Graduate will be assigned duties at the APS 5 classification pay point 1 in the general employment stream, or equivalent classification in their relevant job stream.
173. Where a Graduate does not satisfy the requirements outlined at clause 171, they will be allocated an operational classification and advanced to pay point 11 (equivalent of an APS 4 classification pay point 2) in the Training Broadband, and will then be assigned duties at the APS 4 classification pay point 2 in the general employment stream, or equivalent classification in their relevant job stream.
174. The duration of a Graduate Program will be 12 months or the duration required for a professional stream.
175. Graduates can access up to 5 hours per week for study purposes during work time. These 5 hours may not be accrued, are subject to negotiation with the workplace rotation supervisor, and are subject to operational requirements.
176. Where relocation is required, assistance is provided in accordance with clause 625.

Work level standards

177. The APS Work Level Standards continue to operate and describe the work at each of the classification levels in this agreement, consistent with the *Public Service Classification Rules 2000*, made in accordance with section 23 of the PS Act.

Section 5: Working hours and arrangements

Job security

Commitment to ongoing employment and rebuilding APS capacity

178. The APS is a career based public service. In its engagement decisions, the department recognises that the usual basis for engagement is as an ongoing APS employee.

Reporting

179. Where a consultative committee is in place, the department will report to the department consultative committee on an annual basis, or more frequently if agreed, on the number, duration, classification and location of ongoing, non-ongoing and casual employees engaged by the department.

Pathways to permanency

180. The department and the APS will comply with the casual conversion provision(s) of the FW Act. In addition, the department recognises that a proactive approach, including regularly reviewing casual and non-ongoing arrangements, is both a fair and efficient approach to supporting ongoing employment as the usual form of employment.

Casual (irregular or intermittent) employment

181. A casual (irregular or intermittent) employee is defined in the definitions section.
182. A decision to expand the use of casual employees is subject to the consultation provisions in section 10 of this agreement.
183. The department will regularly review the working arrangements of casual employees to assess if they are genuinely performing irregular or intermittent duties, and report de-identified outcomes to the consultative committee, where one is in place.
184. Remuneration for casual employees is on an hourly basis. A casual employee will receive a 25% loading on the base hourly rate of their classification as set out in this agreement. Unless otherwise expressly stated, this casual loading will not apply to employees in receipt of a casual penalty under clauses 187 or a casual overtime rate under clause 188.
185. The casual loading is paid in lieu of payment for public holidays not worked, notice of termination of employment, redundancy benefits and all paid leave entitlements, other than leave required by legislation including long service leave in accordance with the *Long Service Leave (Commonwealth Employees) Act 1976* and leave for family and domestic violence support.
186. The shift work (clauses 273 to 292), overtime (clauses 239 to 261) and emergency recall to duty (clauses 262 to 264) provisions do not apply to casual employees.
187. A casual employee who performs duty where any part of the casual engagement falls between 6:30pm and 6:30am, or on a Saturday, Sunday or public holiday will be entitled to a penalty in accordance with Table 5.

Table 5 Casual penalty

Work performed	Penalty, already inclusive of 25% casual loading (%)
Night Where any part of a casual engagement falls between 6:30pm and 6:30am Monday to Friday	40
Continuous Night Where a casual engagement falls wholly within the hours of 6:30pm and 6:30am and the employee performs this work no fewer days each week, or no fewer days on average over a 4 week period, than an equivalent full time employee	55
On a Saturday	75
On a Sunday	125
On a public holiday	175

188. A casual employee that works more than 37.5 hours between Monday and Friday in the same week will receive, for the hours in excess of 37.5 hours, an overtime rate of:
- 188.1 Time and a half for the first 3 hours worked, and
 - 188.2 Double time for any hours worked thereafter.
189. A casual employee working overtime on a Saturday, Sunday or a public holiday will be paid in accordance with the penalties in table 5.
190. Except as otherwise provided under clause 189, an employee receiving a casual overtime rate will not be eligible for the 25% casual loading or the casual penalties in table 5.
191. An employee who is entitled to the continuous night penalty rate in table 5 and who becomes eligible for casual overtime will receive the greater of the 55% penalty rate or the overtime rates in cl 188.
192. A casual employee (except for meat inspectors and OPVs) will be engaged for a minimum of 3 hours per engagement or shall be paid for a minimum of 3 hours at the appropriate casual rate. When more than 3 hours is worked, the employee will be paid for the time worked, rounded up to the nearest 15 minutes.
193. A casual meat inspector or OPV will be engaged for a minimum of 4 hours per engagement or shall be paid for a minimum of 4 hours at the appropriate casual rate. Where more than 4 hours is worked, the employee will be paid for the time worked.
194. The department will pay casual meat inspectors and OPVs a cancellation payment in circumstances where work is cancelled with insufficient notice as follows:
- 194.1 if a scheduled casual engagement is cancelled less than 4 hours before the start of that engagement, the employee will be paid for the scheduled hours up to a maximum of 3 hours;

- 194.2 if a scheduled casual engagement ceases within 4 hours of commencement, the employee will be paid for a minimum of 4 hours; and
 - 194.3 if a scheduled casual engagement ceases and the employee has worked for 4 hours or more, the employee will be paid the duration of the scheduled engagement.
195. A casual employee who is eligible for a Workplace Responsibility Allowance will be paid the full allowance amount.

Non-ongoing employment

196. A non-ongoing employee is defined in the definitions section.
197. Non-ongoing employees will generally have the same terms and conditions of employment as ongoing employees under this agreement's terms, except:
- 197.1 personal/carer's leave accrual at clause 392;
 - 197.2 redundancy provisions at clauses 738 to 783, subject to clause 198; and
 - 197.3 purchased leave at clause 380.
198. If the non-ongoing employee's contract is not permitted by section 333E of the FW Act, then the redundancy provisions at clauses 738 to 783 will apply.
199. If the redundancy provisions apply to an employee under clause 198, the department must adhere to the consultation requirements in section 10 of this agreement and clauses 740 to 747.
200. Where the employment of a non-ongoing employee is terminated for reasons other than misconduct, the Secretary may approve a payment to the employee at the applicable rate of pay in accordance with Table 6. Such payment will be considered to include payment in lieu of any required period of notice under section 117 of the FW Act, subject to payment meeting the minimum notice requirements of that Act.

Table 6 Non-ongoing employee payment on termination

Period of service	Payment
Not more than 6 months	1 week (plus 1 additional week if the employee is aged over 45 with at least 5 years continuous service)
More than 6 months but not more than 12 months	4 weeks
More than 12 months but not more than 18 months	8 weeks
More than 18 months but not more than 24 months	12 weeks
More than 24 months but not more than 30 months	16 weeks
More than 30 months	20 weeks

Working hours

201. The ordinary hours of work for:

- 201.1 full time employees (other than shift workers) are 37.5 hours per week, 7.5 hours per day, Monday to Friday within the bandwidth. Hours may be averaged over a four week settlement period.
- 201.2 shift workers are 150 hours averaged over a 4 week settlement period.
- 201.3 part time employees are the hours of work agreed in their part time work agreement.

Standard daily working hours

202. A standard day for the purposes of leave, attendance and salary is outlined below.

Employees based in the Canberra Head Office

203. The standard working day for employees based in the Canberra Head Office is 8.30 am to 12.30 pm and 1.30 pm to 5.00 pm (7.5 hours per day) Monday to Friday.

Regional employees (including OPVs and meat inspectors)

204. The standard working day for regional employees (including OPVs and meat inspectors) is 7.30 am to 12.00 pm and 12.30 pm to 3.30 pm (7.5 hours per day) Monday to Friday.

Bandwidth

The bandwidth during which ordinary hours are to be worked are:

- 205. For employees based in the Canberra Head Office is 7:00am to 7:00pm, Monday to Friday.
- 206. For regional employees (including OPVs and meat inspectors) is 6:30am to 6:30pm, Monday to Friday.
- 207. Where at commencement of this agreement a regional employee has a bandwidth of 7:00am to 7:00pm, this bandwidth will continue to apply, unless:
 - 207.1 otherwise varied by agreement between the Secretary and the employee; or
 - 207.2 the employee initiates a transfer or promotion into a role where the regional office bandwidth applies.

Recording working hours

- 208. Employees are required to record the times they start and finish work (including breaks) each day.
- 209. Over a 4 week settlement period the standard total working hours for full time employees is 150.
- 210. Part time employees are required to record their hours based on their agreed part time working arrangement.

Advising absence

211. Where an employee is unexpectedly unable to attend work they must ensure their manager is advised before they would normally commence, unless it is not reasonable to do so.

Meal breaks

212. The department recognises the importance of employees having access to short recuperative breaks or pauses in their workday consistent with the department's obligations under the *Work Health and Safety Act 2011*.
213. Employees will normally be required (i.e. subject to operational requirements) to take an unpaid meal break of not less than 30 minutes after they have worked 5 hours on any one day, except when their hours to be worked on that day are no more than 6 hours and the employee has requested to work beyond the 5 hour period.

Meat inspectors

214. For meat inspectors working at a meat establishment, the following meal breaks will apply:
- 214.1 an unpaid lunch break of not more than one hour and not less than 45 minutes, unless the meat establishment's lunch break is shorter. In those circumstances the lunch break shall be the same as the meat establishment's but not less than 30 minutes; and
 - 214.2 morning and afternoon breaks which are observed by the meat establishment, subject to a minimum break of 15 minutes per day.

Scheduled environments

215. The department recognises that some employees day to day tasks are scheduled, such as cargo inspections, assessments and client contact functions. These employees will have the opportunity to provide input into their schedule.
216. Where unplanned changes in employee availability occur, employees and managers are encouraged to apply flexible work practices where feasible to address the employee's short term or ad hoc work/life balance needs.
217. Daily schedules will allow for sufficient travel and break time, and employees will usually, subject to operational requirements, be able to adjust the timing and duration of their breaks to better suit their circumstances and access to lunch facilities.
218. Where an employee performs inspections booked and scheduled via an electronic scheduling tool, the employee will:
- 218.1 have visibility of their proposed schedule of bookings from a minimum of 2 days prior, noting this schedule of bookings is subject to change; and
 - 218.2 normally have access to the following day's final bookings by a minimum of 2pm (local time) at minimum.

219. Where changes to an employee's first scheduled booking of the day are required, and this change occurs outside an employee's ordinary hours, the employee will receive electronic notification of the change. There will be no obligation or expectation on employees to access the scheduling system outside of their ordinary hours.
220. Where the department intends to introduce new scheduling systems, programs or work practices the department will establish a working group (or agreed alternative) with employee, employee representative, and management representation to undertake consultation in accordance with the consultation clauses in section 10 of this agreement.

Working from a department vehicle

221. The department recognises that some employees are required to travel on a daily basis to multiple work sites to undertake their regular duties, for example mobile inspection officers. These employees will be provided with a motor vehicle (department motor vehicle or hired motor vehicle) suitable for their required work duties, subject to availability and the Vehicle Leasing & Fleet Management Arrangement administered by the Department of Finance (or equivalent should these arrangements be changed).
222. Employees who undertake activities as specified in clause 221 may be permitted to access home garaging arrangements for a department vehicle where such an arrangement benefits the employees and the department. An employee may decline a request to garage a department vehicle at their home.

Flex time

223. Flex time is a flexible hours scheme that enables eligible employees to alter their work day and adjust their start, finish and break times within the bandwidth, consistent with operational requirements and providing flexibility for the department and the employee. The total working time required of employees on flex time arrangements is the same as their ordinary hours of work. An employee who works more or less than their ordinary hours in a day accrues a flex credit or debit subject to the maximum limits. Flex time arrangements support employees to coordinate work hours to accommodate other priorities such as school pick up, caring responsibilities, public transport schedules and appointments on a regular or ad hoc basis. Subject to discussion between the employee and their manager, flex time can be used in conjunction with other forms of flexible working arrangements.
224. Flex time applies to employees in classifications at the APS 1 to APS 6 levels except those who:
- 224.1 work on a shift roster;
 - 224.2 are trainees; or
 - 224.3 are employed as OPVs or meat inspectors.
225. A maximum of 37.5 hours in flex credits or a maximum of 20 hours in flex debits may be carried over from one settlement period to the next. The Secretary may agree to a higher carryover of credit or debit in exceptional circumstances. Managers and employees will take joint responsibility to maintain flex credits and debits within these limits. Managers will facilitate opportunities for employees to access flex leave to avoid the accumulation of

excessive flex credits. In exceptional circumstances the Secretary may determine payment in lieu of flex credits.

226. Where an employee exceeds the maximum flex debit at the end of the settlement period, the excess debit may be treated as an overpayment of salary and the department may take steps to recover the overpayment in accordance with clauses 45 to 52.
227. Where APS 1 to 6 level employees are required by managers to work overtime, overtime will be paid in accordance with clause 239. Flex credits will not accumulate where an employee is receiving overtime payments.
228. Where an employee ceases employment with the department and their manager certifies that they were unable to utilise their flex credits due to operational requirements, the Secretary will authorise a payment in lieu of the flex credits at single time rates up to a maximum of 37.5 hours.
229. Subject to clause 598, employees at APS 1 to 6 levels required to travel within Australia on department business may include the travel time as ordinary working hours on their standard department attendance record. Executive level employees expected to travel for reasonable periods of time outside normal business hours where this is necessary to perform their work will discuss and confirm arrangements with their manager, consistent with EL time off in lieu (clause 233).

Removal of flex time

230. A manager may remove an employee's access to flex time arrangements (so that their working hours are in accordance with clauses 202 to 204) where the manager, after discussion with the employee, reasonably considers the employee's attendance is unsatisfactory or that the employee is misusing the flex time arrangements. The manager will provide a written explanation of the reasons for their decision. Where such an employee is required to work hours additional to their standard working day they will be paid overtime in accordance with Table 7. Access to flex time arrangements may be restored when the manager is satisfied the employee's attendance is satisfactory and misuse of flex time arrangements is unlikely to reoccur.

Executive Level working arrangements

231. EL employees are sometimes required to work reasonable additional hours. Consistent with the NES, employees may refuse to work unreasonable additional hours.
232. EL employees seeking to access time off in lieu are required to keep records of their working hours using a method determined by the department.
233. A manager is to grant time off in lieu in recognition of reasonable additional hours worked. Time off in lieu granted to employees can be taken as whole or part days.
234. The working arrangements for an EL employee should be agreed through discussion between the manager and the EL employee. The discussion should include consideration of the work requirements that will safely get the job done and reasonably allow the employee to balance their work and personal life.

- 235. An EL employee’s working arrangements and actual hours worked should be discussed on at least a quarterly basis between the EL employee and their manager.
- 236. The pattern of hours is to be flexible enough to accommodate short term peaks and troughs in workload, and include expected reasonable additional hours. The agreed pattern of hours is to be recorded.
- 237. Requests from EL employees to access flexible time off which are consistent with their agreed working arrangements are to be supported, subject to operational requirements.
- 238. EL employees are not eligible to work shift work (clauses 273 to 292) although they are eligible to work part time (clauses 336 to 341).

Overtime

- 239. While the department meets its operational requirements using a variety of flexible working arrangements, it is recognised that on occasion there is a need for employees to work overtime. Wherever practicable, the department will provide employees with reasonable notice of overtime.
- 240. Employees classified as APS 1–6 (or equivalent) who are requested to work overtime:
 - 240.1 outside their ordinary days and/or span of hours (bandwidth) (refer clauses 205 to 207);
 - 240.2 after 8 ordinary hours has been worked (excluding shift workers, meat inspectors, and OPVs);
 - 240.3 outside their rostered days and/or hours if the employee is a shift worker (refer clause 273);
 - 240.4 outside their specified ordinary hours and/or days, or rostered ordinary hours and/or days, for a meat inspector or OPV who is not a shift worker;
 - 240.5 outside their specified ordinary hours and/or days worked or rostered days and/or hours for part time employee and part time shift worker (refer clause 273); or
 - 240.6 on a public holiday;

will be paid at the overtime rate in Table 7.

Table 7 Overtime rates

Specific day	Rate
Monday to Saturday	Time and a half for the first 3 hours each day and double time thereafter
Sunday	Double time
Public holiday	Double time and a half

- 241. When a period of overtime is worked Monday to Saturday, continuous with ordinary duty spanning midnight, it is deemed to be part of the previous day’s hours for the purposes of when double time is paid.

242. When a period of overtime is worked in accordance with clause 240.2, the half hour in excess of 7.5 ordinary hours, for which overtime is not paid, will accrue as flex time (refer clause 223). If flex time is not available, time off in lieu will accrue on a 'time for time' basis to be taken as agreed with the employee's manager.
243. An employee has the right to refuse to work overtime where this would result in working hours that are unreasonable. In determining whether the overtime that is requested or required is reasonable or unreasonable, the factors contained in section 62(3) of the FW Act will be taken into account:
- 243.1 any risk to employee health and safety from working the additional hours;
 - 243.2 the employee's personal circumstances, including family responsibilities;
 - 243.3 the needs of the workplace or enterprise in which the employee is employed;
 - 243.4 whether the employee is entitled to receive overtime payments, penalty rates or other compensation for, or a level of remuneration that reflects an expectation of, working additional hours;
 - 243.5 any notice given by the employer of any request or requirement to work the additional hours;
 - 243.6 any notice given by the employee of their intention to refuse to work the additional hours;
 - 243.7 the usual patterns of work in the industry, or the part of an industry, in which the employee works;
 - 243.8 the nature of the employee's role, and the employee's level of responsibility;
 - 243.9 whether the additional hours are in accordance with averaging terms included under section 63 of the FW Act in a modern award or enterprise agreement that applies to the employee; and
 - 243.10 any other relevant matter.
244. When a period of overtime is not continuous with ordinary duty, the minimum payment will be 3 hours. If an employee performs more than one period of overtime in a day, payment will not exceed the payment that would be made if the employee had remained on duty from the time of commencing the first period of overtime to the end of any subsequent periods of overtime.
245. Notwithstanding the provisions of the *Holidays Act 1910 (SA)*, if an employee works overtime on a Sunday in South Australia, the Sunday double time rate will be payable. The public holiday double time and half rate will only be paid when a Sunday in South Australia is a public holiday as defined under clause 361 of this agreement.

Overtime calculation

246. The following formula will be applied for calculating overtime at the time and a half rate:
- annual salary/313 × 6/ 36.75 × 3/2.
247. The following formula will be applied for calculating overtime at the double time rate:

annual salary/313 × 6/ 36.75 × 2/1.

248. The following formula will be applied for calculating overtime at the double time and a half rate:

annual salary/313 × 6/36.75 × 5/2.

Overtime meal allowance

249. For the purposes of this clause the following meal allowance periods apply:

249.1 Monday to Friday

- a. 6:30pm to 7:30pm; and
- b. midnight to 1:00am.

249.2 Weekends and public holidays

- a. 7:00am to 9:00am;
- b. noon to 2:00pm;
- c. 6:30pm to 7: 30pm; and
- d. Midnight to 1:00am.

249.3 in response to operational requirements or individual preferences, meal allowance periods can be varied by agreement.

250. An employee will be paid a meal allowance of \$35.65 if they perform overtime after the end of ordinary duty for the day, to the completion of or beyond a meal allowance period without a break for a meal.

251. The daily meal allowance rates will be reviewed periodically and amended in accordance with the relevant subscription service.

252. A meal allowance is also payable if an employee is required to perform overtime:

- 252.1 after the completion of ordinary hours for the day and after taking a break for a meal and an employee is not entitled to payment for that break;
- 252.2 before the commencement of ordinary hours for the day and break for a meal and the employee is not entitled to payment for that break; or
- 252.3 on a day the employee would not normally be required to work extending beyond a meal break and they are not entitled to payment for that break.

Option to Take Time Off in Lieu of payment for overtime

253. Where an employee would prefer to take time off in lieu of payment for overtime, and the Secretary agrees to that arrangement, time off will be granted at the applicable overtime rate.

254. Where time off is not taken within 4 weeks it will instead be paid as overtime unless a longer period of time is agreed to.

Rest relief

255. An employee who works overtime must have at least 8 consecutive hours off duty plus reasonable travelling time between the end of duty on one day and the commencement of ordinary hours on the next day without incurring any loss of pay. The 8 hour consecutive break should be at the completion of the overtime.
256. When duty is worked on a day an employee would not normally work then they must have at least 8 consecutive hours off duty plus reasonable travelling time in the preceding 24 hours before commencing ordinary hours on the next day.
257. Where the department requires an employee to resume or continue work, without having had 8 consecutive hours off duty plus reasonable travelling time, in accordance with clauses 255 and 256, an employee will be paid double the ordinary rate of pay (for time worked) until they have had 8 consecutive hours off duty plus reasonable travelling time.

Meat inspectors and On Plant Veterinarians – late night/early morning overtime

258. Meat inspectors and OPVs who work overtime between 10:00pm and 6:30am (excluding shift workers), will be paid at the rate of double time.
259. When a period of overtime is worked Monday to Saturday, continuous with ordinary duty spanning midnight, it is deemed to be part of the previous days' hours for the purposes of when double time is paid.

Overtime for EL employees

260. The Secretary may approve payment of overtime, on a case by case basis, to EL employees assigned to perform information technology duties to provide non-discretionary computing services that cannot be undertaken during ordinary hours.
261. Apart from the circumstances in clause 260, EL employees are only eligible to receive overtime payments in exceptional circumstances. In assessing exceptional circumstances, the Secretary will take into account:
- 261.1 the nature and extent of the overtime;
 - 261.2 whether the overtime has been directed and certified (such as on restriction);
 - 261.3 whether the nature of directions received means that the overtime must be done (i.e. it is unavoidable and can only be performed by employees at that level);
 - 261.4 whether the extra duty is regular and excessive, compared with that worked by employees generally at the same level, over a long period of time (i.e. on a continuing basis, as overtime is not usually paid for one off special tasks); and
 - 261.5 whether the extra duty is burdensome or unusually urgent compared with that undertaken by employees at the same level.

Emergency recall to duty

262. If an employee is directed to return to the workplace to attend for duty at a time when they would not ordinarily be on duty and:

- 262.1 they were not given notice of having to perform this duty prior to ceasing work on ordinary duty or their last rostered shift; and
 - 262.2 they had not previously indicated their availability to perform duty as part of any voluntary overtime arrangements; and
 - 262.3 they are not restricted (clause 265), they will be paid double the ordinary rate of pay for the hours worked and for reasonable travel time to and from duty.
263. The minimum payment for emergency recall to duty will be 3 hours of overtime (consistent with clause 244).
264. Additional guidance concerning the operation of emergency recall to duty is contained in the overtime policy.

Restriction

265. An employee may be required to be 'on restriction', which means they are contactable and available to perform overtime duty outside the employees' ordinary hours of work. In addition, employees may have some constraints placed on their mobility, such as distance from work, and must be ready to work. Normal hours of work means:
- 265.1 for a shift worker, the employee's rostered hours of duty; or
 - 265.2 for an employee who works flex time, the standard working day of 8.30 am to 5.00 pm Monday to Friday for employees based in the Canberra Head Office or of 7.30am to 3.30pm for regional employees, or other agreed standard working day arrangements as may be reflected in a flexible working arrangement, excluding public holidays and the Christmas closedown.
266. An employee will be paid a restriction allowance for each hour or part hour the employee is required to be on restriction at the rate of 8.5% of their hourly salary.
267. Salary for the purpose of calculation of restriction allowance will include additional remuneration paid for higher duties and allowances in the nature of salary.
268. An employee, other than an EL employee unless eligible in accordance with clauses 260 and 261, who is required to perform work or duties while restricted, will be paid overtime for the hours actually worked. Payment of overtime for any one day will be:
- 268.1 if the employee is not required to be recalled to the place of work, payment in accordance with overtime provisions at clause 240, the minimum payment being for one hour; or
 - 268.2 if the employee is recalled to the place of work, payment in accordance with overtime provisions at clause 240, the minimum payment being for 3 hours.
269. The Secretary may determine an alternative higher amount of the restriction allowance rate, which may include the payment of overtime having regard to the circumstances of the restriction situation.
270. Where more than one attendance or call is involved, the minimum payment provisions will not apply if that second or further attendance occurs within the minimum payment period of

the first call. An employee's overtime payment will not be greater than the amount that would have been payable had the employee remained on duty from the commencing time of duty on one attendance to the ceasing time of duty on a subsequent attendance.

271. Employees who perform duty while on restriction will have the benefit of rest relief of 8 hours plus travel time prior to commencing the next period of ordinary duty or the payment of double time if they are directed to attend duty for any ordinary hours worked until 8 hour rest relief is taken.
272. Restriction allowance will not be payable:
- 272.1 for any period where the employee is in receipt of overtime payments; or
 - 272.2 for any period in which the employee does not remain contactable and available to perform overtime.

Shift work

273. Employees (including part time employees) will be considered shift workers if rostered to perform ordinary hours outside the period 6.30am to 6.30pm, Monday to Friday, and/or on Saturdays, Sundays or public holidays, for an ongoing or fixed period. Ordinary hours (clause 201) for shift workers are averaged over a roster settlement period.
274. A break of at least 8 consecutive hours off duty plus reasonable travelling time between 2 periods of duty will be provided.
275. Employees will receive at least 7 days' notice of changes to rostered hours, or less by agreement. Where 7 days' notice is not given, employees are entitled to overtime at the applicable rate, for the part of the shift that is outside the previous rostered hours of duty, until the notice period has expired.
276. Employees may exchange rostered hours of a shift or rostered days off by mutual agreement and with prior approval of their manager. Any resulting additional hours worked will not attract overtime payments.
277. Except at the regular changeover of shifts an employee should not be required to work more than one shift in each 24 hours.
278. Depending on when an employee is rostered to work, the shift loadings in Table 8 will apply.

Table 8 Shift loadings

Ordinary hours of work performed	Loading (%)
On a shift, where any part of the shift falls between 6:30pm and 6:30am	15
Where shifts fall wholly within the hours of 6:30pm and 6:30am and are worked continuously for a period exceeding 4 weeks	30
On a Saturday	50
On a Sunday	100
On a public holiday	150

279. If an employee's shift ceases prematurely, the employee will be paid the appropriate loading for the full rostered shift duration.
280. Part time shift workers will only be eligible for the 30% shift loading when:
- 280.1 rostered ordinary hours involve working no fewer shifts each week, or no fewer shifts a week on average over the shift cycle, than an equivalent full time employee; and
 - 280.2 a shift worked is part of a full time shift, and the full time shift falls wholly outside the employees bandwidth (clauses 205 to 207).
281. Shift loading payments will not be included in overtime calculations or in the calculation of any allowance in the nature of salary.
282. Notwithstanding the provisions of the *Holidays Act 1910 (SA)*, where an employee is rostered to work on a Sunday in South Australia, the Sunday 100% shift loading will be payable. Where an employee is rostered off on a Sunday in South Australia, the additional day's leave under clause 283 does not apply. The public holiday 150% shift loading will only apply when a Sunday in South Australia is a public holiday as defined under clause 361 of this agreement.
283. An employee will receive a day off in lieu if the employee is not rostered to work on a public holiday. Where it is not practical for the employee to have a day off in lieu within one month of the public holiday, the employee will receive an additional day's pay at the ordinary rate of pay.
284. Where shift loadings across the shift roster exceed 17.5% (excluding the public holiday shift loading), an employee will receive a payment during a period of recreational leave of 50% of the shift loadings (excluding public holidays) that would have been paid had the employee not taken leave.
285. The department recognises that the introduction, variation, or cessation of shift work rosters impacts on employees and that genuine consultation is critical to achieving roster outcomes. Where the department intends to introduce, vary, or cease a shift work roster, consultation will be undertaken in accordance with the consultation clauses in section 10 of this agreement.
286. A roster review committee will be established where the department intends to:
- 286.1 design a new roster;
 - 286.2 review or vary an existing roster; or
 - 286.3 establish a standing restriction (on call) roster.
287. Potentially impacted employees will be advised of the intention to review roster arrangements prior to the establishment of a roster review committee.
288. The roster review committee will be composed of management representatives, nominated employees from the potentially impacted work area and union representatives. The purpose of the roster review committee will be to support pre-decision consultation, have input into the development of roster proposals for consideration during consultation, and discuss the reasons and impacts of the intended change, including considering work life balance impacts and WHS risk assessment processes. A roster review process will meet the department's pre-

decision consultation obligations under the consultation clauses in section 10 of this agreement.

289. A majority of employees in a shift work area may also request a review of their roster through a roster review committee. The request must be in writing, set out the rationale for the review of the roster and changes sought. The department may refuse such a request on reasonable grounds.
290. A roster review committee will not usually be established for other roster related changes (e.g. regular seasonal changes, staff movements across existing rosters, ad hoc on call arrangements).
291. Once a final decision has been made on a proposed roster, and during consultation on that decision and proposed implementation arrangements, affected employees will be notified of the timeline for commencement which will include not less than 1 month notice of the roster change.
292. A formal notice period will be provided at the completion of the consultation on the final decision in accordance with the consultation clauses in section 10 of this agreement.

Flexible working arrangements

293. The department, employees and their union recognise:
 - 293.1 the importance of an appropriate balance between employees' personal and working lives, and the role flexible working arrangements can play in helping to achieve this balance;
 - 293.2 access to flexible work can support strategies to improve diversity in employment and leadership in the APS;
 - 293.3 access to flexible work supports APS capability, and can assist in attracting and retaining the employees needed to deliver for the Australian community, including employees located at a wider range of locations;
 - 293.4 that flexibility applies to all roles in the department, and different types of flexible working arrangements may be suitable for different types of roles or circumstances; and
 - 293.5 requests for flexible working arrangements are to be considered on a case by case basis, with a bias towards approving requests.
294. The department is committed to engaging with employees and their union to build a culture that supports flexible working arrangements across the department at all levels. This may include developing and implementing strategies through a departmental consultative committee.
295. Flexible working arrangements include, but are not limited to, changes in hours of work, changes in patterns of work and changes in location of work.

Requesting formal flexible working arrangements

296. The following provisions do not diminish an employee's entitlement under the NES.

297. An employee may make a request for a formal flexible working arrangement.
298. The request must:
- 298.1 be in writing;
 - 298.2 set out details of the change sought (including the type of arrangement sought and the proposed period the arrangement will operate for); and
 - 298.3 set out the reasons for the change, noting the reasons for the change may relate to the circumstances set out at section 65(1A) of the FW Act.
299. The Secretary must provide a written response to a request within 21 days of receiving the request.
300. The response must:
- 300.1 state that the Secretary approves the request and provide the relevant detail in clause 301; or
 - 300.2 if following discussion between the department and the employee, the department and the employee agree to a change to the employee's working arrangements that differs from that set out in the request – set out the agreed change; or
 - 300.3 state that the Secretary refuses the request and include the following matters:
 - a. details of the reasons for the refusal; and
 - b. set out the department's particular business grounds for refusing the request, explain how those grounds apply to the request; and
 - c. either:
 - i. set out the changes (other than the requested change) in the employee's working arrangements that would accommodate, to any extent, the employee's circumstances outlined in the request and that the department would be willing to make; or
 - ii. state that there are no such changes; and
 - d. state that a decision to refuse the request, or failure to provide a written response within 21 days is subject to the dispute resolution procedures of the enterprise agreement, and if the employee is an eligible employee under the FW Act, the dispute resolution procedures outlined in sections 65B and 65C of the FW Act.
301. Where the Secretary approves the request this will form an arrangement between the department and the employee. Each arrangement must be in writing and set out:
- 301.1 any security and work health and safety requirements;
 - 301.2 a review date (subject to clause 305); and
 - 301.3 the cost of establishment (if any).
302. The Secretary may refuse to approve the request only if:

- 302.1 the department has discussed the request with the employee;
 - 302.2 the department has genuinely tried to reach an agreement with the employee about making changes to the employee's working arrangements to accommodate the employee's circumstances (subject to any reasonable business grounds for refusal);
 - 302.3 the department and the employee have not reached such an agreement;
 - 302.4 the department has had regard to the consequences of the refusal for the employee; and
 - 302.5 the refusal is on reasonable business grounds.
303. Reasonable business grounds include, but are not limited to:
- 303.1 the new working arrangements requested would be too costly for the department;
 - 303.2 there is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested;
 - 303.3 it would be impractical to change the working arrangements of other employees, or to recruit new employees, to accommodate the new working arrangements requested;
 - 303.4 the new working arrangements requested would be likely to result in a significant loss in efficiency or productivity;
 - 303.5 the new working arrangements requested would be likely to have a significant negative impact on customer service; and
 - 303.6 it would not be possible to accommodate the working arrangements without significant changes to security requirements, or where work health and safety risks cannot be mitigated.
304. For First Nations employees, the department must consider connection to Country and cultural obligations in responding to requests for altering the location of work.
305. Approved flexible working arrangements will be reviewed by the department and the employee after 12 months, or a shorter period, if agreed by the employee. This is to ensure the effectiveness of the arrangement.

Varying, pausing or terminating flexible working arrangements

- 306. An employee may request to vary an approved flexible working arrangement in accordance with clause 298. An employee may request to pause or terminate an approved flexible working arrangement.
- 307. The Secretary may vary, pause or terminate an approved flexible working arrangement on reasonable business grounds, subject to clause 309.
- 308. The department must provide reasonable notice if varying, pausing or terminating a flexible working arrangement without the agreement of the employee, having regard to the circumstances of the employee. Exceptions to this requirement are urgent and critical operational circumstances or an employee's demonstrated and repeated failure to comply with the agreed arrangements.

309. Prior to the Secretary varying, pausing or terminating the arrangement under clause 307, the department must have:
- 309.1 discussed with the employee their intention to vary, pause or terminate the arrangement with the employee;
 - 309.2 genuinely tried to reach an agreement with the employee about making changes to the employee's working arrangements to accommodate the employee's circumstances (subject to any reasonable business grounds for alteration);
 - 309.3 had regard to the consequences of the variation, pause or termination for the employee;
 - 309.4 ensured the variation, pause or termination is on reasonable business grounds; and
 - 309.5 informed the employee in writing of the variation, pause or termination to the approved flexible working arrangement, including details set out in clause 300.3.

Working from home

310. The department will not impose caps on groups of employees on the time that may be approved to work from home or remotely, with each request to be considered on its merits.
311. The department may provide equipment necessary for, or reimbursement, for all or part of the costs associated with establishing a working from home arrangement.
312. An employee working from home is covered by the same employment conditions as an employee working at an office site under this agreement.
313. The department will provide employees with guidance on working from home safely.
314. Employees will not be required by the department to work from home unless it is lawful and reasonable to do so. This may include where circumstances prevent attendance at an office during a pandemic or natural disaster. In these situations, the department will consider the circumstances of the employees and options to achieve work outcomes safely.

Ad hoc arrangements

315. Employees may request ad hoc flexible working arrangements. Ad hoc arrangements are generally one off or short term arrangements for circumstances that are not ongoing.
316. Employees should, where practicable, make the request in writing and provide as much notice as possible.
317. Requests for ad hoc arrangements are not subject to the request and approval processes detailed in clauses 296 to 305.
318. The department should consider ad hoc requests on a case by case basis, with a bias to approving ad hoc requests, having regard to the employee's circumstances and reasonable business grounds.
319. Where a regular pattern of requests for ad hoc arrangements from an employee emerges, the department should consider whether it is appropriate to seek to formalise the arrangement with the employee.

Altering span of hours (bandwidth)

320. An employee may request to work an alternative regular span of hours (bandwidth hours). If approved by the Secretary, hours worked on this basis will be treated as regular working hours and will not attract overtime payments. The department will not request or require that any employee alter their regular span of hours (bandwidth hours) under these provisions.

Extra duty in the field arrangements

Eligibility

321. Field work involves employees conducting various land based or non-passenger vessel operations out in the open and generally in rural or remote areas of Australia or overseas, which often requires working extra duty and/or irregular hours.
322. Extra duty is where an employee is required to work greater than 7.5 hours in a day because the nature of the field work activity (for example, securing scientific samples) means the work must be completed on the day.
323. An employee will be eligible for the extra duty in the field payment and time off in lieu, where the employee performs extra duty and:
- 323.1 works in the Australian Plague Locust Commission and perform aerial surveys, locust control operations or research projects;
 - 323.2 is required to perform duty at sea;
 - 323.3 works in the Northern Australia Quarantine Strategy and travels to remote areas, conducting animal, plant health or extension surveys; or
 - 323.4 travels to remote areas overseas conducting non-military preclearance inspections.
324. The field work provisions may be extended to other areas if the Secretary determines that it is appropriate for extra duty in the field payments to apply.
325. Employees who receive extra duty in the field payments will not be eligible for overtime as at clause 240.

Payment and time off in lieu

326. Eligible employees who perform extra duty in the field will receive a mixture of payment and time off in lieu accrued at a ratio of 80/20, meaning 80% of additional hours will be compensated with payment and 20% will be compensated with time off in lieu, at the rates outlined in Attachment B, unless agreed otherwise.
327. As per Attachment B, the calculation for payment will be 1.6 times the ordinary rate of pay for each eligible extra hour or part hour and time off in lieu will accrue at the rate of 1.6 hours for each eligible extra hour or part hour.
328. For executive level employees, the base salary used for the calculation will be the top APS 6 pay point of their specific employment stream (refer Attachment A).
329. Extra duty while performing field work includes travelling to and from a field location.

OPV and meat inspectors – allocation to meat establishments

330. The department may engage OPVs and meat inspectors to work across a single or multiple meat establishments within a geographical location. The most common arrangement is that employees are engaged at a single meat establishment.
331. The department will consult with employee representatives and impacted employees where there is a new proposal:
- 331.1 for a geographical location of more than one meat establishment, prior to a new employee being allocated such an arrangement;
 - 331.2 to change the geographical location for an existing employee; or
 - 331.3 to change the number of meat establishments an existing employee works across within the geographical location.
332. Where the department proposes to change the arrangements of an existing employee, the department will consult in accordance with section 10 of this agreement.
333. Where, under clause 331, the department proposes to establish a geographical location of more than one meat establishment, the distance between meat establishments will be reasonable, having regard to the amount and circumstances of travel, and the size and type of the meat establishments within the location. If the travel to a proposed additional meat establishment has greater than 40 minutes per day travel time, additional to the travel to the impacted employee's existing meat establishment/s, the arrangement will not be agreed unless the employee gives their consent to the arrangement.
334. Within 6 months of the commencement of this agreement, the department will consult on the development of a guideline identifying how appropriate geographical locations for export meat establishments are determined.
335. Travel between meat establishments will be considered work time where the travel is in the course of duty (e.g. the employee has commenced duty at one meat establishment and been asked to travel to an alternative meat establishment for the remainder of their duty on the same day).

Part time work

336. Salaries and some allowances for part time employees will be paid at a pro rata rate based on their agreed ordinary hours of work. Leave entitlements for part time employees will also accrue at a pro rata rate based on their agreed ordinary hours of work.
337. Employees engaged on a full time basis will not be compelled to convert to part time employment.
338. Employees engaged on a part time basis will not be compelled to convert to full time employment.
339. Part-time work arrangements must be set out in a written part-time work agreement between the employee and their manager specifying the days and hours to be worked during a settlement period. These arrangements should be reviewed on an annual basis, at a minimum.

The part-time work agreement must ensure that any single period of attendance is no less than 2 hours and 45 minutes in any one day and no less than 7 hours and 30 minutes in any one week.

340. Any employee returning from parental or maternity leave will have the right to work part time hours during the period within 2 years of the birth (or, in the case of adoption or long-term foster care, within 2 years of the placement) of the child. Beyond this period, approval will be given in accordance with the flexible working arrangements provisions of this agreement.
341. Meat inspectors who were working part time prior to the taking of parental or maternity leave can return to the same part time hours.

Job sharing

342. The department encourages and will facilitate the use of job sharing arrangements where feasible. Part time work can be used for job sharing arrangements. All parties to the arrangement must complete a written agreement setting out the conditions of the arrangement.

Christmas closedown

343. The department will reduce its normal operations in the period from Christmas Day until the first working day after New Year's Day.
344. Christmas closedown days are the 3 days in this period which are not:
 - 344.1 public holidays (clause 361); or
 - 344.2 a Saturday or a Sunday.
345. Employees required to attend for work on a closedown day will be paid their ordinary rate of pay for the day and receive a day in lieu to be taken prior to 1 December of the following year. An employee can elect to cash out this day at their ordinary rate of pay.
346. If an employee is not required to attend work on a closedown day they will be paid in accordance with the ordinary hours that the employee would have otherwise worked, with no leave deduction.
347. Where an employee is required to work on a closedown day and needs to take personal leave or other non-discretionary leave, the employee will, on submitting evidence as set out in clause 402 (personal/carer's leave) or other satisfactory evidence (other types of non-discretionary leave), have personal leave or other leave deducted from their entitlement and retain the day in lieu.
348. Christmas closedown days are not provided on a pro rata basis if an employee ceases employment prior to the closedown period.
349. Where an employee is on approved paid leave extending across the closedown period, the employee will be paid the closedown days with no deduction from the approved leave type.
350. Where an employee is absent on long service leave, worker's compensation leave or maternity leave extending across the closedown period, the employee will be paid in

accordance with the requirements of the relevant legislation (i.e. the closedown days are part of the leave, not additional leave).

351. Where an employee is absent on approved leave without pay, the following applies:
- 351.1 extending across the closedown period, no payment is made;
 - 351.2 commencing immediately before a closedown day, no payment is made; and
 - 351.3 commencing immediately after a closedown day, payment for the closedown days is made.

Part time employees

352. If an employee is required to work on a closedown day, when a day in lieu is taken, payment for the day will depend on the hours that are being worked on the day the absence occurs.
353. If an employee does not usually work on a closedown day, the employee will be provided a payment in lieu equal to 10% of their fortnightly part time hours for each of the days they do not usually work.

Shift workers

354. If a shift worker is rostered to work on a closedown day the shift worker will be paid their ordinary rate (including shift loadings) for the day and receive a day in lieu to be taken prior to 1 December of the following year.
355. If a shift worker is not rostered to work on a closedown day the shift worker will receive a day in lieu to be taken prior to 1 December of the following year.
356. When a day in lieu is taken, payment for the day will depend on the roster that is being worked on the day the absence occurs. For example, if it is 9 hours per shift then payment will be for 9 hours. Shift loadings are not paid when the day in lieu is taken.
357. A shift worker can elect to cash out this day in lieu with payment at their ordinary rate of pay for 7.5 hours. For part time shift workers this payment will be equal to 10% of their fortnightly part time hours.

Establishment closedown day substitution

358. Where an establishment observes a day off during a year which is not the first closedown day, OPVs and meat inspectors will substitute the relevant day off observed by the meat establishment for the first closedown day.
359. If an OPV or meat inspector works on both a closedown day provided by clause 344 and substitute day off observed by the establishment, only one day will be treated as a closedown day in accordance with this clause.
360. 14 days' notice will be given to OPVs and meat inspectors of any substituted closedown day to be determined in accordance with clause 358 unless exceptional circumstances exist.

Public holidays

361. Employees are entitled to the following holidays each year as observed at their normal work location in accordance with the FW Act:
- 361.1 1 January (New Year's Day);
 - 361.2 26 January (Australia Day);
 - 361.3 Good Friday and the following Monday;
 - 361.4 25 April (Anzac Day);
 - 361.5 the King's birthday holiday (on the day on which it is celebrated in a State or Territory or a region of a State or Territory);
 - 361.6 25 December (Christmas Day);
 - 361.7 26 December (Boxing Day); and
 - 361.8 any other day, or part day, declared or prescribed by or under a law of a State or Territory to be observed generally within the State or Territory, or a region of the State or 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.
362. If a public holiday falls on a Saturday or Sunday, and if under a State or Territory law, a day or part day is substituted for one of the public holidays listed above, then the substituted day or part day is the public holiday.
363. The Secretary and an employee may agree on the substitution of a day or part day that would otherwise be a public holiday, having regard to operational requirements.
364. The Secretary and an employee may agree to substitute a cultural or religious day of significance to the employee for any day that is a prescribed holiday. If the employee cannot work on the prescribed holiday, the employee will be required to work make up time at times to be agreed. This substitution does not impact or reduce an employee's entitlement to First Nations ceremonial leave, NAIDOC leave or cultural leave.
365. Where an employee substitutes a public holiday for another day, they will not be paid penalty rates for working their normal hours on the public holiday.
366. Where a public holiday falls during a period when an employee is absent on leave (other than annual leave, paid personal/carer's leave or defence service sick leave) there is no entitlement to receive payment as a public holiday. Payment for that day will be in accordance with the entitlement for that form of leave (e.g. if on long service leave on half pay, payment is at half pay.)
367. If under a law of a State or Territory every Sunday is declared or prescribed by or under that law to be a public holiday, there is no entitlement to receive payment as a public holiday if the employee would have worked, or does perform work, on that day. In these circumstances, payment will only be made at the public holiday rate if the employee performs work on that day, and the Sunday would otherwise be a public holiday under clause 358.

368. An employee, who is absent on a day or part day that is a public holiday in their normal work location, is entitled to be paid for the part or full day absence as if that day or part day was not a public holiday, except where that person would not normally have worked on that day.
369. Where a full time employee, including but not limited to employees on compressed hours, has a regular planned day off which would fall on a public holiday, the Secretary may allow the employee to change their planned day off so that it does not fall on a public holiday. If it is not possible to change their planned day off, the employee will be credited an equivalent amount of time to their regular hours for the day in flex credits or EL time off in lieu in recognition of their planned day off.

Section 6: Leave

Annual leave

Entitlement to annual leave

370. Employees (other than casual employees) are entitled to 20 days (4 weeks) paid annual leave, which accrues daily (credited fortnightly) during a year of service according to the employee's ordinary hours, and accumulates from year to year. Annual leave for part time employees accrues on a pro rata basis. Employees may apply to use their annual leave as it accrues.
371. Annual leave may be used for any period including periods of one day or less.
372. Annual leave may be taken at half pay. Unless approved by the Secretary it may not be taken at half pay where the employee has an excess leave balance (exceeding 2 years of accruals).

Approval of annual leave

373. Employees can take annual leave subject to the prior approval of the Secretary, which will not be unreasonably withheld. Once approved, annual leave will not to be unreasonably revoked. The Secretary will, if leave has been refused in the previous 12 month period, regardless of operational requirements, approve at least once per calendar year, an employee's annual leave application for a period of at least 5 consecutive working days.

Cash out of annual leave

374. Employees may cash out an amount of annual leave, provided the remaining annual leave credit is at least 4 weeks. Each cashing out of a particular amount of annual leave must be made by a separate agreement in writing with the Secretary. The employee will be paid the full amount that would have been payable to the employee had the employee taken the leave that the employee is cashing out.

Cancellation of annual leave or recall to duty

375. Where annual leave is cancelled without reasonable notice or the employee is recalled to duty, the employee will be reimbursed travel costs and incidental expenses not otherwise recoverable from insurance or other sources after the provision of evidence of those costs.

Excess annual leave

376. Employees will, wherever practicable, regularly take their annual leave and will endeavour to ensure that their accrued annual leave does not exceed an amount equivalent to 2 years of accrual. If an employee's annual leave credits exceeds an amount equivalent to 2 years of accrual the employee, with the support of their manager, must plan to reduce their leave to an amount equivalent to less than 2 years of accrual as soon as possible.
377. Where an employee's annual leave continues to exceed an amount equivalent to 2 years of accrual for 3 months or more the Secretary may in the absence of a plan to reduce the accrued leave direct the employee to take a period of annual leave.

Additional annual leave for shift workers rostered on Sundays

378. Shift workers who are working rostered Sunday duty are entitled to 3.75 hours of additional annual leave for every Sunday worked, up to an additional 5 days annual leave per year. Working on a Sunday means working ordinary duty or overtime for a minimum of 3 hours.

Exit from APS

379. Employees will receive payment in lieu of any untaken annual leave upon separation from the APS, calculated using the employee's final rate of salary and allowances considered as salary for all purposes as at the date of exit, and including leave loading amounts if the employee would have been paid leave loading for taking the leave. Temporary reassignment loading is regarded as salary for payment in lieu of annual leave where it is certified that the temporary reassignment of duties would have continued beyond the date of exit.

Purchased leave

380. Employees (excluding those engaged on a casual basis, non-ongoing employees employed for less than 12 months and Cadets) are eligible to apply for purchased leave. Further information is contained in the department's Leave Policy.

Deferred salary leave scheme

381. An ongoing employee can apply for a deferred salary leave scheme (scheme) where the employee works for 4 years with a proportion of their salary withheld over that time to fund a subsequent continuous period of leave of 12 months in the fifth year (deferred leave period).
382. An approved employee can participate in the scheme by agreeing to have 20% of their base salary withheld each fortnight over 4 years.
383. During the deferred leave period the employee will be paid an amount equivalent to the salary withheld during the previous 4 year period. The amounts will be paid in equal fortnightly instalments across the leave period.
384. The deferred leave period will not count as service for the purposes of accruing entitlements such as personal or recreation leave.
385. The deferred leave period will not break continuity of service but will not count for service for the purposes of long service leave.
386. A written response will be provided in writing within 21 calendar days of receiving the request. If the request is not supported, the reasons will be provided.
387. If the employee leaves the department or advises the department in writing they want to cancel the arrangement prior to the deferred leave period, the salary withheld to date will be paid to the employee as a lump sum payment as soon as practicable after the department is notified.

Personal/carer's leave

Entitlement to personal/carer's leave

- 388. Employees (excluding those receiving a casual loading) will progressively accrue 20 days personal/carer's leave for each full year of service (pro rata for part time employees).
- 389. Employees may elect to take personal/carer's leave at half pay, with leave credits deducted by half of the duration of the leave taken.
- 390. Personal/carer's leave cannot be cashed out upon termination of employment.

Accrual of personal/carer's leave

- 391. For an ongoing employee, 20 days personal/carer's leave will be credited upon the employee's commencement with the APS. In subsequent years, the employee's leave will accrue daily, credited monthly.
- 392. For a non-ongoing employee, the personal/carer's leave will be credited upon the employee's commencement with the department. This will be 20 days leave pro rated based on the employee's initial contract period, and is capped at 20 days. After the initial contract period or 12 months, whichever is shorter, or where the employee has an existing entitlement to personal/carer's leave, leave will accrue daily, credited monthly.
- 393. A casual employee may be absent without pay when not fit for work due to personal illness or injury. A casual employee may access 2 days unpaid carer's leave per occasion, consistent with the NES.
- 394. For meat inspectors, the Secretary may, in advance, approve that an employee take up to 20 days of personal leave in advance of accrual in circumstances of serious injury or chronic illness. Employees must provide suitable evidence to support a request.
- 395. All personal/carer's leave entitlements will be recorded and deducted in hours and minutes.

Usage

- 396. Employees may take personal/carer's leave for purposes of personal illness/injury, emergency caring or support purposes, and for unexpected emergencies, including:
 - 396.1 to attend health appointments or to accompany a member of the employee's family or household or, where agreed by the Secretary, a close friend to a health appointment;
 - 396.2 care of a member of the employee's family or household or person they have caring responsibilities for, where agreed by the Secretary, a close friend who is ill, injured or requires assistance;
 - 396.3 attending to urgent household matters or repairs;
 - 396.4 to manage a chronic personal medical condition; and
 - 396.5 when the employee is unable to organise alternative care for their child or their usual childcare arrangements are unexpectedly disrupted.
- 397. A person that an employee has caring responsibilities for may include a person who needs care because they:
 - 397.1 have a medical condition, including when they are in hospital;

- 397.2 have a mental illness;
 - 397.3 have a disability;
 - 397.4 are frail or aged; or
 - 397.5 are a child, not limited to a child of the employee.
398. An employee must not use personal/carer's leave for purposes not included in the definition of personal/carer's leave in the FW Act (Part 2-2, Division 7, Subdivision A) if this would result in less than 10 days of the employee's annual personal/carer's leave being available for use for personal injury or illness and caring as provided for under the FW Act.
399. Personal/carer's leave will not be debited where an employee is medically unfit for duty on a public holiday on which the employee would have otherwise been absent due to the public holiday.

Production of supporting evidence

400. Employees may be requested to provide evidence for taking personal/carer's leave after:
- 400.1 more than 3 consecutive days (Secretary can extend this period to 4 days in localities that are long distances from a suitable doctor); or
 - 400.2 more than 10 days without evidence in a calendar year.
401. The Secretary must inform the employee in advance of any request for supporting evidence for further absences after the employee has been absent for 10 days without evidence in a calendar year.
402. Acceptable evidence includes:
- 402.1 medical certificate from a registered health practitioner;
 - 402.2 a statutory declaration; and
 - 402.3 another form of evidence approved by the Secretary.
403. A certificate from a registered health practitioner may be used as evidence of a chronic condition for up to 12 months for both personal and carer's leave.

Personal/carer's leave to be taken before termination on invalidity grounds

404. Where the employee is on a continuous period of personal/carer's leave, the department will not, without the employee's agreement, terminate the employee's employment on invalidity grounds before the employee has exhausted their personal/carer's leave credits.

Minor workplace injury leave

405. The department will provide approval for an employee to access leave to receive treatment and to recover from a minor workplace injury where an incident report has been submitted. The duration of any approved leave will be up to 5 business days unless otherwise approved by the Secretary with consideration of relevant medical evidence.
406. Payment during this leave will be paid at the employee's full rate of pay.
407. Additional guidance concerning the application of minor workplace injury leave is contained in the Early Intervention Policy.

Portability of leave

408. Where an employee moves into the department from another APS agency where they were an ongoing employee, the employee's unused accrued annual leave and personal/carer's leave will be transferred, provided there is no break in continuity of service.
409. Where an employee is engaged in the department immediately following a period of ongoing employment in the Parliamentary Service or the ACT Government Service, the employee's unused accrued annual leave and personal/carer's leave will be recognised unless the employee received payment in lieu of those entitlements on cessation of employment.
410. Where an employee is engaged as an ongoing employee in the department, and immediately prior to the engagement the person was employed as a non-ongoing APS employee (whether in the department or another APS agency), at the employee's request, any unused accrued annual leave (excluding accrued leave paid out on separation) and personal/carer's leave will be recognised.
411. Where an employee is engaged as a non-ongoing APS employee, and immediately prior to the engagement the person was employed as a non-ongoing APS employee (whether in the department or another agency) at the employee's request, any unused accrued annual leave (excluding accrued leave paid out on termination of employment) and personal/carer's leave will be recognised.
412. Where a person is engaged as an ongoing employee in the department, and immediately prior to the engagement the person was employed by a Commonwealth employer (other than in the Parliamentary Services which are covered in clause 409), the Secretary will offer to recognise any unused accrued personal/carer's leave at the employee's request.
413. Where an employee is engaged as an ongoing employee in the department, and immediately prior to the engagement the person was employed by a state or territory government, the Secretary may recognise any unused accrued personal/carer's leave, provided there is not a break in continuity of service.
414. For the purposes of clauses 408 to 413, an employee with a break in service of less than 2 months is considered to have continuity of service.

Leave without pay

415. Leave without pay may be approved by the Secretary for purposes not provided for elsewhere in this agreement. Leave without pay may be granted for a maximum period of 12 months. Periods of leave without pay for periods longer than 12 months will be considered in exceptional circumstances. Further information is contained in the department's Leave Policy.
416. Leave without pay does not count as service for any purpose except as provided for elsewhere in this agreement or under the *Long Service Leave (Commonwealth Employees) Act 1976*, the *Superannuation Act 1976*, the *Superannuation Act 1990* or the *Superannuation Act 2005*.

Miscellaneous leave

417. Leave with pay (for short periods only) may be approved by the Secretary for purposes not provided for elsewhere in this agreement, including for casual employees, exclusively to

provide for paid family and domestic violence leave and otherwise by Government directive. Further information is contained in the department's Leave Policy.

Long service leave

418. An employee is eligible for long service leave in accordance with the *Long Service Leave (Commonwealth Employees) Act 1976*.
419. The minimum period for which long service leave will be granted is 7 calendar days (whether taken at full or half pay). Long service leave cannot be broken with other periods of leave, except as otherwise provided by legislation or provided for in the re-crediting of leave clause at clause 491 of this agreement.

Cultural, ceremonial and NAIDOC leave

NAIDOC leave

420. First Nations employees may access up to one day of paid leave per calendar year to participate in NAIDOC week activities.
421. NAIDOC leave can be taken in part days.

First Nations ceremonial leave

422. First Nations employees may access up to 6 days of paid leave over 2 calendar years to participate in significant activities associated with their culture or to fulfil ceremonial obligations.
423. The Secretary may approve additional leave for cultural or ceremonial purposes as miscellaneous leave, with or without pay.
424. First Nations ceremonial Leave can be taken as part days.
425. First Nations ceremonial leave is in addition to compassionate and bereavement leave.

Cultural leave

426. The Secretary may grant up to 3 days of paid leave per calendar year for the purpose of attending significant religious or cultural obligations associated with the employee's particular faith or culture.
427. The Secretary may approve additional leave for cultural purposes as miscellaneous leave, with or without pay.
428. Cultural leave can be taken as part days.
429. For the avoidance of doubt, this leave does not cover cultural purposes or obligations which are eligible for paid leave under clause 422.

Parental leave

430. A primary caregiver, secondary caregiver and ML Act is defined in the definitions section.

- 431. An employee who is a primary caregiver or secondary caregiver is entitled to parental leave up until 24 months from the date of the child’s birth or placement (parental leave period). For the avoidance of doubt, this is inclusive of all legislated leave entitlements. The parental leave period does not extend non-ongoing employment where the employment period remaining is less than 24 months. An employee is only eligible for parental leave with pay as either a primary caregiver or a secondary caregiver for the particular parental leave period, and cannot switch roles for the purpose of accessing additional paid leave.
- 432. For the pregnant employee, the parental leave period starts on commencement of maternity leave as per ML Act requirements, and ceases 24 months from the date of birth. Medical certification requirements for the pregnant employee will be as required by the ML Act.
- 433. Conditions in this agreement will continue to apply in circumstances where successor legislation to the ML Act does not provide parental leave conditions included in this agreement.

Payment during parental leave

- 434. An employee is entitled to parental leave with pay as per clauses 436 and 437 below within the parental leave period. Any further parental leave during the parental leave period is without pay. Unused paid parental leave remaining at the end of the employee’s parental leave period will lapse. An employee may choose to use their accrued paid leave entitlements in accordance with usage and eligibility requirements in this agreement during the parental leave period that would otherwise be without pay.
- 435. Employees newly engaged in the department or who have moved to the department from another APS agency are eligible for the paid parental leave in clauses 436 and 437 where such paid leave had not already been provided by another APS agency or Commonwealth employer in the 24 months since the child’s date of birth or placement. If the paid leave used by the employee with the previous Commonwealth employer or APS agency is less than the limits specified in clauses 436 and 437, the balance is available to the employee.
- 436. An employee who is a primary caregiver is entitled to parental leave with pay during the parental leave period to a maximum of 18 weeks as provided in Table 9.

Table 9 Primary caregivers – circumstances for paid parental leave

Paid leave entitlement under the ML Act	Additional parental leave with pay under this agreement for the primary caregiver
12 weeks’ paid maternity leave, including any reduced paid maternity leave period due to ML Act qualifying period rules	Paid leave to bring the total period of paid parental leave to 18 weeks
No ML Act eligibility or coverage	18 weeks

- 437. An employee who is a secondary caregiver is entitled to parental leave with pay during the parental leave period as provided in Table 10.

Table 10 Secondary caregivers – circumstances for paid parental leave

Period which coincides with the parental leave period for the secondary caregiver	Parental Leave with pay under this agreement
Date of commencement of this agreement to 28 February 2025	8 weeks, or top up to 8 weeks where a lesser period of parental leave has already been provided
1 March 2025 to 28 February 2026	11 weeks, or top up to 11 weeks where a lesser period of parental leave has already been provided
1 March 2026 to 27 February 2027	14 weeks, or top up to 14 weeks where a lesser period of parental leave has already been provided
From 28 February 2027	18 weeks, or top up to 18 weeks where a lesser period of parental leave has already been provided

438. Flexibility: Parental leave with pay, whether provided as maternity leave under the ML Act or under this agreement, can be accessed flexibly during the parental leave period and does not have to be taken in a single block. For the avoidance of doubt, parental leave can be used to replicate a part time work arrangement, and can be taken concurrently with another parent in relation to the same child.
439. Rate of payment during paid parental leave is the same as for an absence on personal/carer's leave and based on the employee's weekly hours at the time of the absence.
440. Half pay option: The payment of any paid parental leave may be spread over a maximum period of 36 weeks at the rate of, no less than, half the normal rate of salary. All paid parental leave counts as service for all purposes, where permitted by legislation.

Adoption and long term foster care

441. An employee who is a primary caregiver or secondary caregiver is entitled to parental leave in accordance with this agreement for adoption or long term foster care, provided that the child:
- 441.1 is under 16 as at the day (or expected day) of placement;
 - 441.2 has not lived continuously with the employee for a period of 6 months or more as at the day (or expected day) of placement; and
 - 441.3 is not (otherwise than because of the adoption) a child of the employee or the employee's spouse or de facto partner.
442. Documentary evidence of approval for adoption or enduring parental responsibilities under formal fostering arrangements must be submitted when applying for parental leave for adoption or long term foster carer purposes.

Stillbirth

443. Parents of a stillborn child remain eligible for parental leave, except for paid leave for the secondary caregiver which is 2 weeks.

444. A stillborn child is a child:
- 444.1 who weighs at least 400g at delivery or whose period of gestation was 20 weeks or more;
 - 444.2 who has not breathed since delivery; and
 - 444.3 whose heart has not beaten since delivery.

Pregnancy loss leave

445. A pregnant employee who experiences, or an employee whose spouse or partner experiences, pregnancy loss is entitled to one week's paid leave. Pregnancy loss is a miscarriage or other loss of pregnancy that occurs between 12 and 20 weeks' gestation that is not a stillbirth.
446. Pregnancy loss leave is in addition to entitlements to compassionate leave for miscarriage provided under the FW Act and this agreement.

Premature birth leave

447. In circumstances of a live birth before 37 weeks' gestation a pregnant employee, or an employee whose spouse or partner has given birth prematurely, is entitled to paid premature birth leave from the date of the child's birth up to just before 37 weeks' gestation. Parental leave with pay is then available from what would have been 37 weeks' gestation in accordance with parental leave in this agreement, noting the parental leave period commences on the child's date of birth.

Transitional provisions

448. Employees eligible for paid leave under the ML Act are required under legislation to use their paid maternity leave first. In this circumstance, the employee may postpone their paid premature birth leave otherwise payable under clause 447 until after the legislated paid maternity leave is used.

Compassionate leave

449. Employees will be eligible for 3 days paid compassionate leave on each occasion when:
- 449.1 a member of their family (including a member of their household) or someone they have a close personal relationship with contracts, develops or sustains a life threatening illness or injury; or
 - 449.2 the employee or their partner has a miscarriage.
450. An employee may be asked to provide evidence to support their absences on compassionate leave.
451. Compassionate leave for an occasion may be taken as 3 consecutive days or in separate periods totalling 3 days. This can include part days.
452. For casual employees, compassionate leave is unpaid.

Bereavement leave

453. Employees will be eligible for 3 days paid bereavement leave on each occasion when:
- 453.1 a member of their family (including a member of their household) or someone they had a close personal relationship with dies; or
 - 453.2 a child is stillborn, where the child was a member of their family (including a member of their household).
454. An employee may be asked to provide evidence to support their absences on bereavement leave.
455. Bereavement leave for an occasion may be taken as 3 consecutive days or in separate periods totalling 3 days. This can include part days.
456. For casual employees, bereavement leave is unpaid.
457. At the discretion of the Secretary, additional bereavement leave can be granted for employees (other than those engaged on an irregular and intermittent basis) to attend a funeral.

Emergency response leave

458. In line with section 108 of the FW Act, an employee who engages in an eligible community service activity is entitled to emergency response leave to volunteer for emergency management duties for:
- 458.1 the time engaged in the activity;
 - 458.2 reasonable travelling time; and
 - 458.3 reasonable recovery time.
459. Full time and part time employees will be able to access 20 working days of paid emergency response leave on full rate of pay if required. The Secretary may provide additional emergency response leave with pay.
- 459.1 For the purposes of this clause, full rate of pay is to be as if the employee was at work.
460. Paid leave may be refused where the employee's role is essential to the department's response to the emergency.
461. An employee must provide evidence that the organisation requests their services. Employees can provide evidence before or as soon as practical after their emergency service activity.
462. An employee who engaged in eligible community service activity will have access to paid leave (on production of satisfactory evidence) for emergency services responses, regular training, reasonable travel and recovery time and ceremonial duties.
463. Emergency response leave, with or without pay, will count as service.

Jury duty

464. Employees who are required by a court to attend either for jury selection, or to act as a juror, will be released from duty for the required period, without the need to apply for leave.
465. Full and part time employees will be released from duty on their full rate of pay. Payment for casuals will be as per the relevant state legislation.
- 465.1 For the purposes of this clause, full rate of pay is to be as if the employee was at work.
466. The employee is required to inform their manager before they are released from duty and provide evidence of the need to attend.
467. If the employee receives a payment from the court for attendance (which are not expense related such as allowances and reimbursements), they must repay that amount to the department for the period of absence. This will be administered in accordance with the overpayments clause.

Crisis leave

468. Where an employee has exhausted all other forms of appropriate paid leave, the Secretary may grant up to ten days paid leave in the event of an accident or a personal emergency of an urgent and unforeseen nature.

Volunteer leave

469. The Secretary may grant a reasonable amount of leave without pay to undertake other community volunteering for organisations registered with Volunteering Australia, subject to the operational requirements of the employee's workplace.

Defence reservist leave

470. The Secretary will give an employee leave with or without pay to undertake:
- 470.1 Australian Defence Force (ADF) Reserve and continuous full time service (CFTS); and
- 470.2 Australian Defence Force Cadet obligations.
471. An employee who is a Defence Reservist can take leave with pay for:
- 471.1 up to 4 weeks (20 days) in each financial year (pro rata for part time employees); and
- 471.2 an extra 2 weeks (10 days) in the first year of ADF Reserve service (pro rata for part time employees).
472. Leave can be built up and taken over 2 consecutive years. This includes the extra 2 weeks in the first year of service.
473. An employee who is an Australian Defence Force Cadet officer or instructor can get paid leave up to 3 weeks in each financial year to perform their duties. Australian Defence Force Cadets means:

- 473.1 Australian Navy Cadets;
 - 473.2 Australian Army Cadets; and
 - 473.3 Australian Air Force Cadets.
474. In addition to the entitlement at clause 471, paid leave may be granted to an employee to attend an interview or medical examination in connection with the enlistment of the employee in a Reserve Force of the Defence Force.
475. Paid defence reservist leave counts for service.
476. Unpaid defence reservist leave for 6 months or less counts as service for all purposes. This includes periods of CFTS.
477. Unpaid leave taken over 6 months counts as service, except for annual leave.
478. An employee will not need to pay their tax free ADF Reserve salary to the department for any reason.

Defence service sick leave

479. An employee is eligible for defence service sick leave credits when the Department of Veterans Affairs (DVA) has certified that an employee's medical condition is as a result of either:
- 479.1 warlike service; or
 - 479.2 non-warlike service.
480. An eligible employee can get 2 types of credits:
- 480.1 an initial credit of 9 weeks (45 days) defence service sick leave will apply as of the later below option:
 - a. they start employment with the APS; or
 - b. DVA certifies the condition; and
 - 480.2 an annual credit of 3 weeks (15 days) defence service sick leave.
481. An employee can use their defence service sick leave when a recognised medical practitioner provides a certificate that says they were away due to their DVA certified medical condition.
482. Unused annual credits can be built up to 9 weeks.
483. An employee cannot use annual credits until the initial credit is exhausted.
484. Defence service sick leave is paid and counts as service for all purposes.

Leave to attend proceedings

485. An employee giving evidence before a Court, Tribunal or Royal Commission on behalf of the Commonwealth or a Commonwealth party in the course of their duties, will be considered on duty.

486. An employee who is not covered under clause 485, and is required to give evidence to, appear before or attend to instruct a representative at a Court, Tribunal or Royal Commission in relation to their duties will be released from duty without loss of pay. This includes in proceedings relating to a dispute between the employee and the department.
487. An employee may otherwise be granted paid or unpaid miscellaneous leave by the department if required to give evidence to a Court, Tribunal or Royal Commission for any other reason. Where approval for unpaid leave is given, the employee may elect to use accrued annual leave, flex leave or time off in lieu.
488. The Secretary may refuse to release an employee from duty having regard to business requirements and whether the employee's attendance is necessary for the Court, Tribunal or Royal Commission hearing.

Leave to count as service

489. Unless otherwise provided in legislation or this agreement:
- 489.1 paid leave will count as service for all purposes; and
 - 489.2 unpaid leave will not count as service for any purpose.
490. For a meat inspector, personal/carer's leave without pay will count as service if supported by a medical certificate unless the total period of paid and/or unpaid leave for personal illness exceeds a continuous period of 78 weeks will count as service. In this circumstance any unpaid personal leave for personal illness beyond 78 weeks does not count as service, except for long service leave.

Re-crediting of leave

491. When an employee is on:
- 491.1 annual leave;
 - 491.2 purchased leave;
 - 491.3 defence reservist leave;
 - 491.4 First Nations ceremonial leave;
 - 491.5 NAIDOC leave;
 - 491.6 cultural leave; or
 - 491.7 long service leave; and
- becomes eligible for, under legislation or this agreement:
- 491.8 personal/carer's leave;
 - 491.9 compassionate or bereavement leave;
 - 491.10 jury duty;
 - 491.11 emergency services leave;

491.12 leave to attend to family and domestic violence circumstances; or

491.13 parental leave, premature birth leave, stillbirth leave or pregnancy loss leave;

the affected period of leave will be re-credited.

492. When an employee is on personal/carer's leave and becomes eligible for parental leave, premature birth leave, stillbirth leave or pregnancy loss leave, the affected period of leave will be re-credited.

493. Re-crediting is subject to appropriate evidence of eligibility for the substituted leave.

Unauthorised absence

494. Wherever possible, prior approval for leave will be obtained and the type of leave disclosed. If an employee is absent from duty without approval, all entitlements (including pay and allowances) and other conditions provided under this agreement (e.g. flexible working arrangements and flex leave) cease until the employee resumes duty or is granted leave. Such absences do not count as service for any purpose. Further information is contained in the department's Leave Policy.

Section 7: Employee support and workplace culture

Blood donation

495. An employee can take reasonable time away from duty during their ordinary work hours to donate blood, plasma or platelets. It includes reasonable travel time and employers will consider employees on duty.
496. The employee must inform their manager in advance of when they will be away from work before donating blood, plasma or platelets.

Vaccinations

497. The department will offer annual influenza vaccinations to at no cost to all employees. Where the department requires an employee performing a role to be vaccinated for a particular condition, this vaccination will be offered at no expense to the employee.

Employee Assistance Program

498. Employees, their partners, and their dependants/children will have access to a confidential, professional counselling service to assist employees to manage personal and work issues. This service will be provided at no cost to employees by the department and will be accessible on paid time.

Respect at work

Principles

499. The department values a safe, respectful and inclusive workplace free from physical and psychological harm, harassment, discrimination and bullying. The department recognises that preventing sexual harassment, sex discrimination, sex based harassment and victimisation in the workplace is a priority.
500. The department recognises that approaches to prevent sexual harassment, sex discrimination, sex based harassment and victimisation in the workplace should be holistic and consistent with the Australian Human Rights Commission's guidance, including the *Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment*.

Consultation

501. The department will consult with employees and their unions in developing, reviewing and evaluating approaches to prevent sexual harassment, sex discrimination, sex based harassment and victimisation in the workplace.

Family and domestic violence support

502. The department will provide support for employees affected by family and domestic violence, depending on the employee's circumstances.
503. The department recognises that a holistic approach should be taken to support the employee, appropriate for the employee's individual circumstances.
504. Family and domestic violence support, including paid leave, are available to all employees covered by this agreement.
505. An employee experiencing family and domestic violence support is able to access paid miscellaneous leave. Reasons an employee experiencing family and domestic violence may access this leave include, but are not limited to:
- 505.1 illness or injury affecting the employee resulting from family and domestic violence;
 - 505.2 providing care or support to a family member (including a household member) who is also experiencing family and domestic violence, and is ill or injured as a result of family and domestic violence;
 - 505.3 providing care or support to a family member (including a household member) who is also experiencing family and domestic violence, and is affected by an unexpected emergency as a result of family and domestic violence;
 - 505.4 making arrangements for the employee's safety, or the safety of a close relative;
 - 505.5 accessing alternative accommodation;
 - 505.6 accessing police services;
 - 505.7 attending court hearings;
 - 505.8 attending counselling; and
 - 505.9 attending appointments with medical, financial or legal professionals.
506. This entitlement exists in addition to an employee's existing leave entitlements and may be taken as consecutive days, single days or part days and will count as service for all purposes.
507. Given the emergency context in which leave may need to be accessed, employees can proceed to take the leave and seek approval at a later date, as soon as practicable.
508. These family and domestic violence support clauses do not reduce an employee's entitlement to family and domestic violence leave under the NES.
509. Paid miscellaneous leave available under this clause is paid for ongoing and non-ongoing employees at their full rate of pay as if they were at work.
510. Paid leave for casual employees under this clause is paid at their full rate of pay rate for the hours they were rostered to work in the period they took leave.
511. Evidence may be requested to support the department in approving leave. In most cases, this will not be required. Where it is required, this will be discussed with the employee and a statutory declaration is the only form of evidence the department will require, unless the employee chooses to provide another form of evidence.

512. An employee may also choose to provide other forms of evidence, including a medical certificate, or document issued by the Police Service, a Court, a Doctor, district Nurse, a Family Violence Support Service or Lawyer.
513. The department will take all reasonable measures to treat information relating to family and domestic violence confidentially. The department will adopt a 'needs to know' approach regarding communication of an employee's experience of family and domestic violence, subject to steps the department may need to take to ensure the safety of the employee, other employees or persons, or mandatory reporting requirements.
514. Where the department needs to disclose confidential information for purposes identified in clause 513, where it is possible the department will seek the employee's consent and take practical steps to minimise any associated safety risks for the employee and/or privacy breaches.
515. The department will not store or include information on the employee's payslip in relation to the employee's experience of family and domestic violence; any leave accessed for the purposes of family and domestic violence; or support(s) provided by the employer, unless otherwise required by legislation.
516. Other available support may include, but is not limited to, flexible working arrangements, additional access to EAP, changes to their bandwidth or pattern of hours and/or shift patterns and/or location of work where reasonably practicable.
517. The department will acknowledge and take into account an employee's experience of family and domestic violence if an employee's attendance or performance at work is affected.
518. Further information about leave and other support available to employees affected by family and domestic violence may be found in policy.

Integrity in the APS

519. The department understands that procedural fairness is essential in building and maintaining trust with APS employees, and that it requires fair and impartial processes for employees affected by APS wide or department decisions.
520. Employees are to give advice that is frank, honest, timely and based on the best available evidence. This includes scientific and engineering advice based on evidence based facts guided by the best available science and data. Employees will not be disadvantaged or discriminated against because they have given advice in accordance with their expertise or professional qualifications and in accordance with the APS Code of Conduct in the PS Act.
521. Employees can, during their ordinary work hours, take time to:
 - 521.1 access an APS wide ethics advisory service or another similar service provided by a professional association such as a law society or in the department; and
 - 521.2 attend department mandated training about integrity.

First Nations cultural competency training

522. The Secretary will take reasonable steps to ensure all substantive, ongoing EL2 employees employed at the commencement of this agreement and any new substantive, ongoing EL2 employees who commence within the first 6 months of this agreement will complete relevant First Nations cultural competency training within 12 months of the commencement of this agreement.
523. Any new substantive, ongoing EL2 employee who commences after 6 months of the commencement of this agreement will be required to complete a relevant First Nations cultural competency training course within 6 months of their engagement or promotion.

Lactation and breastfeeding support

524. Reasonable paid time during work hours will be provided for lactation breaks for breastfeeding, expressing milk and other associated activities.
525. The department will provide access to appropriate facilities for the purpose of breastfeeding or expressing milk, subject to clause 526. In considering whether a space is appropriate, the department should consider whether:
- 525.1 there is access to refrigeration;
 - 525.2 the space is lockable; and
 - 525.3 there are facilities needed for expressing, such as appropriate seating.
526. Where it is not practicable for a department site to have a designated space, a flexible approach will be taken so that the employee can access the support required.
527. The department will facilitate discussion between individual employees and their managers about accommodating the employee's lactation needs and practical arrangements to meet these needs.
528. The manager and employee shall discuss any flexible working arrangements that may be needed to support lactation. This may include consideration of arrangements such as working from home and/or remote working or varying work hours on an ad hoc or regular basis. Wherever possible, requests by an employee will be accommodated, noting these needs may be changed over time.
529. Further information is available in policy.

Disaster support

530. Where an official disaster or emergency is declared and this prevents an employee from reasonably attending work, or where it impacts their household or home, the Secretary will consider flexible working arrangements to assist the employee to perform their work.
531. Where flexible working arrangements are not appropriate, the Secretary may grant paid miscellaneous leave to an employee with regard to the scale and nature of the emergency. This leave counts as service and may be approved retrospectively.

532. In considering what period of leave is appropriate, the Secretary will take into account the safety of the employee, their family (including their household) and advice from local, State and Commonwealth authorities.

Section 8: Performance and development

Performance and development

533. The principles of procedural fairness will apply to the performance and development process.
534. All employees covered by this agreement (other than casuals and non-ongoing employees on contracts of less than 3 months) are required to actively participate in the department's performance and development process.
535. The performance and development cycle commences on 1 September each year and concludes on 31 August of the following year with a mid cycle review to discuss progression towards goals, and an end of cycle review.
536. The department's performance and development process will assist employees to achieve performance outcomes through collaboration that:
- 536.1 delivers on the department's purpose, priorities, objectives, values;
 - 536.2 assists employees to develop the capabilities they need for their career;
 - 536.3 provides regular, constructive feedback ('no surprises' approach) and shared responsibility for performance; and
 - 536.4 performance expectations will usually align with relevant APS Work Level Standards.
537. All employees should have an individual performance and development agreement that is developed, reviewed, agreed and updated through discussion with their manager. Performance and development agreements will include:
- 537.1 ways to achieve development within the employee's current role;
 - 537.2 completion of department and job specific mandatory learning;
 - 537.3 identify employees' career and learning and development needs, how they will be met, and the outcomes measured;
 - 537.4 specify the mutual expectations between an employee and their manager, and the support required to achieve the agreed goals; and
 - 537.5 links to team and organisational priorities.
538. An end of cycle performance review should be held before 31 August, where a performance rating is given. Employees and their manager will jointly evaluate performance and development outcomes taking into consideration:
- 538.1 external influences;
 - 538.2 whether the employee's identified learning and development and training needs have been met, including whether the employee had suitable time allocated for these activities; and
 - 538.3 individual circumstances, including personal issues.

539. If an employee works in more than one role during the annual performance cycle, the manager must seek and take into account input from previous managers when assigning the end of cycle rating.
540. An employee who meets expectations and has at least 6 months of aggregate service at or above level, including paid leave, during the annual performance and development cycle will receive salary progression in accordance with clause 31.

Strengthening performance

541. Employees are expected, as a minimum, to maintain a satisfactory standard of performance consistent with their performance agreement. If at any time, an employee's performance is not meeting expectations, the manager will:
 - 541.1 promptly discuss the concern with the employee. The discussion will consider any issues that may be affecting the employee's performance and determine any actions that needs to be taken to support the employee with improving their performance; and
 - 541.2 provide the employee with the opportunity to have a representative attend the discussions.
542. For non-ongoing employees, if performance continues to not meet expectations after a 4 week period, the department may consider ceasing the employment contract early.
543. For ongoing employees, if work performance continues to not meet expectations after a 4 week period, a formal Performance Improvement Process will be recommended and a Performance Improvement Plan (PIP) will be developed in consultation with the employee and manager that provides role clarification (including manager's expectations), training or other supports/development activity.
544. During the minimum 8 week structured performance improvement process, the employee's performance will be assessed on a weekly basis against the PIP. The employee and manager will meet to discuss the employee's performance, provide feedback and ensure the supports in place are appropriate to support development needs.
545. The employee may request annual, purchased or long service leave during the assessment period, but this will only extend the assessment period if this is agreed by the Secretary or the leave was approved prior to the decision to commence the PIP.
546. The assessment period will be extended if the employee is absent due to personal illness or injury and provides acceptable evidence as per clause 402.
547. At the end of the PIP (or an earlier period if performance has improved), if performance has improved to the standard expected, no further action will be taken.
548. If performance continues to not meet expectations at the end of the PIP, the Secretary may decide to:
 - 548.1 redeploy the employee to a more suitable work area;
 - 548.2 reduce the employee's salary and/or classification; or
 - 548.3 terminate employment on the grounds of unsatisfactory performance of duties.

- 549. Prior to taking any steps above the Secretary must notify the employee of their performance concerns and outline proposed actions.
- 550. From the date of receiving this notification an employee has 14 calendar days to provide a response in writing concerning either the performance gaps identified and/or the proposed actions. Having considered any response provided, the Secretary may issue a notice of termination, or effect your transfer to another role or reduce your classification.
- 551. Any reduction to a classification will take effect one month after the date of notification. An employee may apply under the PS Act to have this decision reviewed. If the review is successful, the notice of reduction in classification will be revoked without detriment to the employee.
- 552. Additional guidance concerning application of the performance and development process is contained in the Performance Policy.

Probation

- 553. The probationary period for newly engaged employees is 6 months unless determined otherwise by the Secretary, as set out in the employment offer.
- 554. The Secretary may terminate employment where the probationer has not been able to perform their duties to a satisfactory standard. Regard will be given to procedural fairness principles.

Workloads

- 555. The department recognises the importance of employees balancing their work and personal life. While it is acknowledged that at times it may be necessary for some extra hours being worked by some employees, this should be regarded as the exception rather than the rule.
- 556. When determining workloads for an employee or group of employees, the department will consider the need for employees to strike a balance between their work and personal life.
- 557. Where an employee or group of employees raise that they have experienced significant workload pressures over a prolonged period of time, the department and employee/s together must review the employees' workloads and priorities, and determine appropriate strategies to manage the impact on the employee or group of employees.

OPV workload verification tool

- 558. Within the first 12 months from the commencement of the agreement, the department will undertake a stocktake of consultation to date, and finalise and implement procedures for appropriately and objectively assessing the workload of OPVs. Finalisation of the workload assessment procedure will involve consultation with affected staff and their representatives, including Veterinarian and meat inspection union delegates.
- 559. Any procedures for assessing the workload of OPVs will:
 - 559.1 properly examine the range of tasks and duties performed by OPVs, taking account of the circumstances in which the required workload is performed;

- 559.2 take account of the difference in third party premises for which monitoring, regulatory and verification services are provided; and
 - 559.3 provide opportunities for OPVs and Food Safety Meat Assessor input into the assessment.
560. Once a procedure for assessing the workload of OPVs has been finalised and implemented in accordance with clause 558 and 559 above, any review by the department of staffing at a meat establishment will include consultation with relevant union representatives.
561. Where the review involves an existing Rover, a union representative will be invited to attend and participate in the workload review.

Career pathway for Biosecurity Officers

562. Within the first 3 months of the commencement of this agreement, the department will convene a working group comprised of management representatives and union representatives to develop a mobility program for Biosecurity Officers within the Biosecurity Operations Division.
563. The objective of the working group is to design and trial an agreed mobility program, for Biosecurity Officers who wish to participate in the program within 12 months of the commencement of this agreement that:
- 563.1 accommodates the immediate deployment needs and longer term career and development goals of individual staff and the Biosecurity Operations Division;
 - 563.2 enables sufficient time per deployment to learn, practise and attain proficiency in the relevant skills of the work area; and
 - 563.3 develops the requisite governance systems and processes, including change management and communication strategies and executive reporting to support mobility program implementation.
564. The working group will develop and act according to a set of terms of reference, which will include reviewing the trialled program.
565. Where the trialled program is successful, the department is committed to implementing the program no later than 24 months after commencement of this agreement.

Study assistance

Approved external study

566. Employees wishing to access study leave and/or study support must apply to have the external studies approved. The Secretary will assess external studies for approval on a case by case basis having regard to:
- 566.1 whether the study is relevant to career development needs of the employee;
 - 566.2 the financial resources and operational needs of the department;

566.3 the work performance of the employee (e.g. whether the employee's performance is meeting expectations); and

566.4 whether the study is relevant to the operations of the department or the demonstrated requirements of the broader APS.

Study leave

567. Employees undertaking approved external studies, including study activities related only to the preparation and presentation of a thesis, may apply for:

567.1 leave at full rate of pay to travel to and from and attend compulsory study activities (where this occurs during the employee's ordinary hours); and

567.2 study leave at full rate of pay of up to 7.5 hours per week, or 15 hours per week for First Nations employees, for each week of an approved study period.

568. Study leave may be used weekly or flexibly across the approved study period, subject to discussion and Secretary approval.

569. Managers and employees should discuss any impacts approved study is likely to have on workload management. Any agreed plans to manage these impacts should be documented in the employee's performance plan.

Study leave without pay

570. Study leave without pay may be granted by the Secretary for a maximum period of 12 months to allow employees to undertake full time study. Periods of study leave without pay for periods longer than 12 months will be considered in exceptional circumstances. Study leave without pay does not count as service for any purpose unless required by relevant legislation.

Study support

571. The Secretary may approve financial assistance in the form of a study bursary to an employee undertaking approved external study.

572. The bursary is not payable to employees on leave without pay except if this leave is for defence reserve purposes.

573. There are 2 study bursary rates: one for university accredited coursework and the other for accredited coursework at a TAFE or similar institution or other vocational institution.

574. The maximum annual amounts for each of the study bursaries are \$3,295 (university accredited coursework) and \$1,647 (accredited coursework at TAFE or similar). Proportions of these annual amounts may be paid during a 12 month period based on the periods of study undertaken and on the successful completion of each period of study. Further information is contained in the department's Study Support Scheme Policy.

575. As a bursary, the rate of study support will be increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

576. The Secretary may approve some financial assistance to an employee before the completion of a period of study on the grounds of financial hardship or to an employee who is unable to complete coursework due to circumstances beyond their control.

577. The department will cover fees (HELP Higher Education Loan Program, any compulsory tuition, course, examination, administration or graduation fee or educational levy) for First Nations employees for study to obtain entry into a tertiary institution and a qualification at tertiary level approved under the Study Support Scheme.

Learning and development

578. The department recognises that the acquisition, development and diversification of knowledge and skills is a continuing part of an employee's career. The department aims to continuously improve both individual and organisational capability by providing employee's with learning and development opportunities for ongoing enhancement of their skills and capabilities.
579. The department is committed to ensuring employees have the skills and knowledge required to perform their duties, and in assisting them in their career aims. The department will ensure that all employees have access to appropriate learning and development opportunities on work time.
580. Managers and employees are responsible for:
- 580.1 discussing, setting and regularly reviewing appropriate learning and development plans, including scheduling time for employees to participate in opportunities;
 - 580.2 where possible, ensuring learning and development plans extend beyond mandatory or required training and include longer term development opportunities; and
 - 580.3 assessing whether learning and development activities outlined in performance and development agreements have been completed and if not, discussing why, and developing a plan to remediate.
581. Learning and development opportunities may include:
- 581.1 formal training and study;
 - 581.2 support access to Continuing Professional Development (CPD);
 - 581.3 on the job learning and development activities;
 - 581.4 access to mobility, rotation, and/or higher duties opportunities;
 - 581.5 coaching and mentoring activities; and
 - 581.6 online learning.
582. The department will report to the National Consultative Committee on available learning and development outcomes. During the life of this agreement the department will explore opportunities to enhance reporting capabilities.

Professional qualifications and registrations

583. Except where relevant fees have been covered directly by the department, employees will be reimbursed for the costs of mandatory accreditation, professional practicing certificate, or

professional registration fees where the Secretary has determined that these certifications or registrations are required for the performance of an employee's duties.

584. The department may reimburse other professional association membership costs or registration fees where the Secretary is satisfied such membership or registration provides a direct benefit to the department.

OPV continuing professional development

585. Where reasonably practicable, the department will facilitate OPVs' access to development opportunities which contributes to their continuing professional development requirements, including:
- 585.1 access to voluntary weekend training conferences facilitated by the department; and
 - 585.2 opportunities to nominate to participate in externally facilitated conferences, where the costs of employee attendance are covered by the department.
586. Where an OPV participates in a voluntary weekend training conferences, employees will be provided with time-for-time time off in lieu up to a maximum of 7.5 hours per day.
587. Where an OPV is supported to attend an externally facilitated conference, and the conference occurs during an OPV's ordinary hours of work, participation will be considered ordinary duty.
588. If approval is sought by an OPV to attend other CPD activities, all or part of the costs of attending may be provided by the department.

Section 9: Travel and location based conditions

Travel

589. Official travel is Secretary approved travel away from the employee's usual work locality including travel between an employee's usual locality and a temporary alternative locality. It does not apply to travel undertaken in the course of an employee's usual or assigned activities at the employee's usual or temporary alternative locality.

Travel plan

590. Prior to finalising official travel, including overnight travel, a travel plan will normally be developed between an employee and manager to address:

590.1 business and operational requirements relevant to the travel;

590.2 most appropriate mode of transport; and

590.3 any work health and safety obligations.

591. Time off in recognition of travel time, including:

591.1 rest periods, if relevant, to be taken before recommencing duty;

591.2 confirmation of when access to these periods will occur;

591.3 additional time off where official travel occurs on a weekend and is considered excessive; and

591.4 when time off in lieu or flex credits will be taken.

592. Consideration of flexible work arrangements or caring responsibility where relevant to the travel request or timing of travel.

593. The travel plan should normally be agreed in writing via email.

594. Where an employee is on a temporary assignment away from their usual work location and is not eligible to receive remote locality provisions, as part of the travel plan the employee and manager will discuss and record whether any department paid travel to and from the employee's home location during the temporary assignment is appropriate in the circumstances. The type of support (i.e. paid travel time and/or motor vehicle allowance) and the number of trips should be considered.

Travel time

595. Where practical, domestic and international travel for the purposes of work should occur within an employee's ordinary days or bandwidth (or during ordinary rostered hours for shift workers). For casual employees, official travel time is considered part of their work hours.

Calculating travel time

596. When travelling by air, domestic travel time will commence one hour prior to flight departure and cease one hour after flight arrival, or when the employee reaches their destination (i.e. home, accommodation, or place of work).

597. For all other official travel, including international travel by air: travel time will commence on departure from the employee's home, accommodation or place of work (whichever is latest) and cease on arrival at their home, or accommodation or place of work (whichever is the earliest).
598. Where official travel occurs outside of an employee's ordinary days or bandwidth (or outside ordinary rostered hours for shift workers), employees classified APS 1–6 (excluding OPVs and meat inspectors) may claim:
- 598.1 travel time which will accrue on an hour for hour basis (single time), to be taken as time off in lieu; or
 - 598.2 if the employee works under a flex time arrangement, travel time will accrue on an hour for hour basis to be taken as flex time in accordance with clause 223.
599. Employees who accumulate travel time in accordance with clause 598 will normally be provided access to applicable time off in lieu within 6 weeks of travel unless a longer period has been agreed to (i.e. in the travel plan). Where it is not reasonably practicable to provide time off or at the request of the employee, travel time may be paid out with approval of the Secretary.
600. Subject to operational requirements and Secretary approval time off in lieu for travel can be taken as single days, half days or as a block of time or in conjunction with other forms of approved leave.
601. Travel time accrued by EL employees will be recognised under the entitlements to EL time off in lieu.
602. Travel time does not apply:
- 602.1 when overtime has been paid in accordance with clause 240; or
 - 602.2 when an employee is receiving extra duty in the field; or
 - 602.3 if an employee travels on a day which is outside their ordinary days and/or bandwidth (or outside ordinary rostered hours for shift workers), performs duty and return in a single day, as the whole duration will be treated as overtime.

Travel time – Meat inspectors and OPVs

603. For meat inspectors and OPVs, official travel undertaken outside of an employee's ordinary days or bandwidth (or outside ordinary rostered hours for shift workers), travel time will accrue:
- 603.1 Monday to Saturday: on an hour for hour basis to be taken as time off in lieu or cashed out at the employee's ordinary rate of pay with the approval of the Secretary; and
 - 603.2 Sundays and Public Holidays: at the rate of 1.5 hours per hour travelled to be taken as time off in lieu or cashed out at the employee's ordinary rate of pay with the approval of the Secretary.
604. All time off in lieu accrued in accordance with clause 603 will be accessed in a minimum of whole week blocks, or if combined with a period of recreation leave or long service leave

where the total period of absence is not less than one week. The Secretary may approve a lesser period of time in exceptional circumstances.

605. Travel time does not apply:

605.1 when overtime has been paid in accordance with clause 240; or

605.2 if an employee travels on a day which is outside their ordinary days and/or bandwidth (or outside ordinary rostered hours for shift workers), performs duty and return in a single day, as the whole duration will be treated as overtime.

Daily excess travel time

606. Where an employee agrees to work temporarily at a location other than their usual place of work, and as a result spends more time travelling to their temporary place of work than they spend travelling to their usual place of work, they will be entitled to the payment for the excess travel time or time off in lieu of normal hours of duty for that time subject to:

606.1 the employee's salary not exceeding the rate for an APS Level 5;

606.2 the additional travel time being at least 30 minutes in travel per day; and

606.3 the payment not exceeding 5 hours in any one day.

607. The rate of payment or time off in lieu will be single time.

Rest periods

608. The department will provide reasonable rest period/s during and after official long haul domestic or international travel. Rest period arrangements should be agreed prior to travel and should consider the type, and duration of travel, and be reflected in the travel plan.

609. Where an employee's journey involves continuous travelling time of more than 12 hours, the employee will be entitled to a rest period of sufficient duration to enable overnight rest before recommencing duty. A rest period must not be longer than 24 hours.

610. Where an employee's journey involves a continuous travelling time of more than 20 hours, the employee will be entitled to 2 rest periods before recommencing duty. One rest period may be taken part way through the journey (where an overnight stopover is required), or both rest periods may be taken at the end of the journey. The combined rest periods must not exceed 48 hours.

611. Unless otherwise agreed, any part of a rest period that falls within an employee's ordinary or rostered hours will be deducted from the employees accrued travel time.

Travel allowances

612. Employees required to travel for official work purposes will have their accommodation, meals, and other incidental expenses met by the department. The department currently utilises a range of facilities to meet the travel costs of employees including booking systems, credit or travel cards and employee allowances and payments.

Single day travel

613. Employees will receive a single day travel payment when they travel away from their usual locality on official business, if the:

- 613.1 travel is commenced and completed within one day; and
- 613.2 number of hours worked on the day including travel is more than 10.
- 614. The single day travel payment will be 40% of the daily meals and incidentals allowance provided under the relevant subscription service. As at commencement of the agreement, the single day travel payment will be \$61.08.
- 615. No meal or incidental allowances are payable for travel completed in a single day.
- 616. The single day travel payment applies where travel was undertaken via a means of transport other than passenger services such as a commercial flight.

Daily meal and incidental allowance

- 617. Allowances to cover meals and incidental expenses for overnight travel will be the applicable allowance rate determined by the relevant subscription service as a reasonable amount for the locality visited. This clause does not apply if the expenses have been paid for by the department or another organisation. Where requested by the employee, and where practicable, the daily meal and incidental allowance will be paid prior to travel commencing.
- 618. Airlines meals served in economy on domestic flights will not count as a meal for the purposes of calculating the meal allowance.

Non-commercial accommodation

- 619. Where an employee elects to stay in non-commercial accommodation, the employee will be paid 35% of the daily meals and incidentals allowance provided under the relevant subscription service. As at commencement of the agreement, the non-commercial accommodation payment will be \$53.45 per night to meet expenses associated with staying in non-commercial accommodation.

International travel

- 620. All employees travelling internationally will be provided with business class travel (where available) for travel greater than 4 hours. Relevant meals and incidentals will be calculated in accordance with the relevant subscription service.

Extended periods of travel —more than 21 days

- 621. After an employee has resided in the one locality for a period of 21 days, a review of travel expenses will occur. Review of travel expenses will occur after 21 days and will not include the preceding 21 day period.
- 622. A short term absence from the temporary locality for either work or personal reasons (such as annual leave, reunion visits etc) will not break continuity for the purposes of determining reviewed travel allowance.
- 623. The reviewed travel allowance will only apply where the employee has suitable accommodation with full cooking facilities. The reviewed travel allowance will be based on 40% of the daily meals and incidentals allowance provided under the relevant subscription service. As at commencement of the agreement, reviewed travel allowance will be \$61.08 per day. Prior to the 21 days being reached, if reviewed rate travel allowance is not sufficient to cover the additional cost incurred by the employee, the Secretary may approve an agreed higher package of assistance to meet the additional costs.

624. An employee is not entitled to reviewed travel allowance and daily rate travel allowance for the same day.

Relocation assistance

625. Where an employee is required to relocate at the request of the department, such as the necessary relocation of an employee and their immediate family from one locality to another on engagement, promotion or movement to or within, or separation from the department, the employee will be provided with payment of an amount, or reimbursement of reasonable expenses associated with the relocation (including only some of the expenses). Employees who relocate on a temporary basis to take up higher duties are entitled to removal expenses if they relocate for a period of 13 weeks or more.

626. Reasonable expenses associated with the relocation include:

626.1 the cost of transport of the employee, their dependants and partner by the most economical means;

626.2 removal expenses, namely the reimbursement of reasonable incurred costs of the removal of furniture and household effects of the employee, dependants and partner;

626.3 the reimbursement of the cost of the insurance premium based on a reasonable replacement value;

626.4 the reasonably incurred expenses in kennelling and transport of pets, up to the amount specified in the *Australian Public Service Enterprise Award 2015*; and

626.5 for meat inspector classified employees, the costs associated with the sale or purchase of a house.

627. For meat inspectors, where an employee has been relocated to another locality at the department's expense and the employee passes away, the Secretary may authorise payment of reasonable expenses to the employee's eligible dependant/s. Reasonable expenses for the purposes of this clause are conveyance and removal of furniture and household effects for the employee's eligible dependant/s.

628. The details of the relocation assistance that has been approved will be provided to the employee in writing.

629. Additional relocation assistance may be considered by Secretary discretion.

630. Further information is contained in the department's Relocation Assistance Policy.

Remote localities

631. The department recognises that employees assigned to work in remote and isolated localities require assistance with the additional cost, inconvenience and physical and social isolation of living and working at such locations. All eligible employees will receive assistance in line with the provisions of this agreement. If work is required to be performed in a remote location or unique circumstances arise that are not considered in this agreement, the Secretary may

determine the appropriate grading in accordance with the *Australian Public Service Enterprise Award 2015* remoteness formula.

632. Employees assigned to work in the department’s remote localities listed in Table 11 are eligible to receive assistance in the form of:

632.1 an annual district allowance paid fortnightly at the rates specified for each locality as set out in Attachment B which includes higher rates for employees with eligible dependants, in accordance with the provisions of clauses 635 to 637;

632.2 additional annual leave, and

632.3 leave fares assistance in accordance with clauses 656 to 663.

633. Where a regrading of a remote locality would result in a lower entitlement, an employee will retain the greater entitlements that were associated with the previous grading.

634. The rate of district allowances will increased in line with salary increases in 2025 and 2026 (refer to Attachment B for rates).

Table 11 Remote localities – Grading, District allowance and Additional annual leave

Location	Grading	District allowance – with dependant (\$ p.a.)	District allowance per annum – without dependant (\$ p.a.)	Additional annual leave (p.a.)
Norfolk Island ^a	3	11,898	8,092	5 days
Christmas Island ^a	3	16,658	11,502	7 days
Cocos (Keeling) Islands ^a	2	22,624	15,389	7 days
Bamaga	3	8,660	4,920	5 days
Broken Hill	1	2,650	1,340	2 days
Broome	3	8,660	4,920	5 days
Charleville	3	8,660	4,920	5 days
Karratha	3	8,660	4,920	5 days
Longreach	3	8,660	4,920	5 days
Thursday Island	3	8,660	4,920	5 days
Outer Torres Strait Islands	4	12,740	7,880	7 days
Nhulunbuy	3	8,660	4,920	5 days
Port Hedland	3	8,660	4,920	5 days
Weipa	3	8,660	4,920	5 days
Biloela	2	6,400	3,490	3 days
Bourke	3	8,660	4,920	5 days
King Island	3	8,660	4,920	5 days

Location	Grading	District allowance – with dependant (\$ p.a.)	District allowance per annum – without dependant (\$ p.a.)	Additional annual leave (p.a.)
Batchelor	3	8,660	4,920	5 days

a historical amounts of district allowance and/or additional annual leave have been maintained.
p.a. per annum.

635. For the purposes of the district allowance rates, leave fares assistance (clauses 656 to 663) and reunion fares for Darwin (clauses 664 to 666), an eligible dependant is a dependant (as defined in clause 10) who also:

635.1 has ordinarily resided with the employee for the previous 12 months; and

635.2 receives an income, if any, less than the national minimum wage.

636. The district allowance does not count as salary for superannuation, or long service leave in lieu.

637. An employee with a spouse/partner who is also an employee of an APS agency and is entitled to the district allowance will be regarded as an employee without dependants for the calculation of the allowance where the employee’s partner is entitled to the district allowance with dependants.

Payment of district allowance during periods of leave

638. The district allowance will be paid during periods of personal/carer’s leave, annual leave, long service leave and other paid leave. For long service leave the allowance is paid only if the employee resides in the locality while on long service leave.

Payment of district allowance for a temporary period

639. An employee may be paid district allowance while temporarily assigned to work in a remote locality listed in Table 1 where:

639.1 they have been in the remote locality for more than 21 days; and

639.2 the Secretary is satisfied it is appropriate in the circumstances including the remaining duration of the temporary period, the nature of accommodation, and other travel allowances the employee is receiving.

640. An employee may receive district allowance under this clause at the same time as a reviewed rate of travel allowance.

641. Further information is contained in the department’s Travel Policy and the department’s Relocation Assistance Policy.

Additional annual leave – Darwin

642. Employees stationed in Darwin will be provided with 5 days additional annual leave per year. Employees receiving additional annual leave under former remote localities clauses are not eligible for additional annual leave under this clause.

Former remote localities (grandfathered entitlements)

643. Ongoing meat inspectors who were employed at the department's former remote localities outlined in Table 12 will remain eligible to receive remote localities conditions only if the employee has been continuously assigned to work at the location or at another location listed before the date of eligibility.

Table 12 Former remote localities – additional annual leave, district allowance and leave fares assistance

Location	Date of eligibility	Additional annual leave	District allowance		Leave fares assistance
			with dependant (\$)	without dependant (\$)	
Cairns	13 May 2019	2 days	2,250	1,140	Biennial
Darwin	13 May 2019	5 days ^a	2,250	1,140	Annual
Townsville	13 May 2019	2 days	2,250	1,140	Biennial

^a Employees based in Darwin who are eligible for additional annual leave under former remote localities are not eligible for additional annual leave under clause 632.

Gladstone allowance

644. Employees who were assigned to work continuously at Gladstone (Queensland) on or before 31 January 2020 will receive an annual allowance of \$742 (if accompanied by eligible dependant/s) or \$382 (without eligible dependant/s).

Education allowance

645. Where an employee relocated to a remote locality has dependent children attending secondary school, the employee may be entitled to an education costs allowance if the dependent child does not move with them to the remote locality. Further information is contained in the department's Relocation Assistance Policy.

Norfolk Island education assistance

646. Where an employee is temporarily residing on Norfolk Island and has a dependent child attending year 11 or 12 at the Norfolk Island Central School and the employee incurs compulsory tuition fees, the employee is entitled to reimbursement of these fees.

Medical and dental costs – visits to Norfolk Island

647. Employees may be reimbursed certain medical and dental costs incurred while on short term visits to Norfolk Island if a doctor or dentist (whichever is applicable) has certified that the treatment was necessary.

Employee housing

648. Employees may, as determined by the Secretary, be provided with a reasonable level of housing assistance where they work in a remote locality where private housing is not available or reasonably affordable.

649. Employees who reside in a building owned or leased by the Commonwealth, may be required to pay rent deducted fortnightly at a rate not exceeding 10% of their salary. Employee's may authorise the department to deduct this rental amount from their pay.

650. Any rent payable by the employee will continue to be payable during periods of leave.

651. Further information is contained in the department's Employee Housing Policy.

Air conditioning subsidy

652. Eligible employees will receive a subsidy toward the cost of running refrigerated air conditioning for September to April each year (the subsidy period) if the employee:

652.1 is assigned to work at Broome, Weipa, Karratha, Batchelor, Port Hedland, Nhulunbuy, Christmas Island, Cocos Island, Thursday Island, or other islands of the Torres Strait for the subsidy period;

652.2 resides in either a Commonwealth dwelling or a dwelling in which the employee receives temporary accommodation allowance, in which refrigeration air conditioning is installed; and

652.3 is responsible for the payment of the charges listed on an acceptable account for that dwelling.

653. Eligible employees based in Broome for the subsidy period will be paid the subsidy irrespective of whether the employee occupies a Commonwealth dwelling.

Table 13 Air conditioning subsidy calculation

Separate metering	n/a	85% of the total charge
No separate metering	1 room air conditioner installed	50% of the total charge
	2 room air conditioners installed	65% of the total charge
	3 or more room air conditioners or ducted air conditioning installed	70% of the total charge

654. Where the period covered by the account lies partly outside the subsidy period, the allowance will be multiplied by the following formula:

654.1 $2 \times \text{days within subsidy period} \div (\text{days in the subsidy period} + \text{days covered by the account})$.

655. Where the employee and all their eligible dependants are absent from the locality for a period in excess of one day, and the dwelling is occupied by a person who is not the employee or an eligible dependant, the period of absence will not be included in the subsidy period.

Leave fares assistance

656. Employees assigned to work in a remote locality for a continuous period of 12 months or more will be entitled to receive leave fares assistance on an annual basis for themselves and their eligible dependants who meet the conditions of clauses 635 to 637. The continuous period will not be broken where the employee is required to work outside the remote locality (short term or seasonal) and the time away from the remote locality does not exceed 3 of the 12 months.

657. Leave fares assistance will become available after an eligible employee works for a continuous period of 12 months in a remote locality, and annually thereafter while the employee continues to be assigned to work at the remote locality listed in Table 11.
658. The department will, with reasonable notice of an eligible employee's travel arrangements, book and pay for economy airfares (best fare of the day) using the department's travel management system. Ordinarily 4 weeks will be considered reasonable notice.
659. The booking will cover the cost of airfares from the location where the employee is based to the nearest capital city, or to another domestic location the employee and their eligible dependant/s travel to, whichever is the lesser.
660. Where an employee chooses, or is required, to book and pay for the cost of their travel themselves, reimbursement will be up to the cost of an economy return airfare from the location where the employee is based to the nearest capital city, or to another domestic location the employee and their eligible dependant/s travel to, whichever is the lesser.
661. Where an employee is located in the Torres Strait, the department will book and pay for reasonable additional transportation costs to enable the employee to travel to the relevant airport. Where the employee is required to book these arrangements directly, the department will provide reimbursement of the reasonable costs.
662. Employees can only accumulate a maximum of 2 unused leave fare assistance.
663. Reimbursement for leave fares for non-ongoing employees will be approved provided there has been continuity of service, with no more than 2 months break in service between non-ongoing engagements.

Reunion fares for new recruits to Darwin

664. Ongoing employees engaged, moved, assigned or promoted to Darwin from another Australian locality will be entitled to annual reunion fares reimbursement for themselves and their eligible dependants who meet the conditions of clauses 635 to 637. This provision does not apply to employees who would be eligible for leave fares assistance as per clauses 656 to 663 for the same period.
665. An employee's reunion fares reimbursement entitlement will accrue 12 months after the employee commences in Darwin and annually thereafter while the employee continues to be assigned to work in Darwin, and will be payable when the employee takes annual leave to return to the State or Territory from which they were recruited.
666. Reimbursement will be up to the cost of an economy return airfare from Darwin to the nearest major airport in the State or Territory from which the employee was recruited.

Medical or dental treatment – reimbursement of transport costs

667. Employees assigned to work in a remote locality will be entitled to reimbursement of reasonable travel costs, as determined by the Secretary, for medical or dental treatment where:
 - 667.1 it is immediately necessary for the employee or a dependant of the employee to travel from the remote locality for medical, dental or specialist treatment because the relevant service is unavailable at the remote locality; and

667.2 a qualified medical practitioner, dentist or medical specialist certifies the immediate necessity and essential nature of this treatment.

668. If the employee or their dependant accesses similar payments or services provided under provisions of another government subsidy or by another APS agency, the amount of assistance provided by the department will be reduced by the amount received by the employee accessing the assistance.

Emergency or compassionate travel – reimbursement of transport costs

669. Where an employee or dependant of an employee is assigned to work at a remote locality and it is necessary for the employee or dependant to travel from the locality for emergency or compassionate reasons (i.e. where a close family member becomes critically or dangerously ill or dies, or in other crisis situations approved as such by the Secretary), the Secretary will authorise reimbursement of reasonable costs incurred for return transport by air (through the department's travel management provider where possible) or surface travel within Australia to the locality where the close family member is located.

670. If the family member is located in a locality in another country, the Secretary will authorise reimbursement of the reasonable cost of travel to the closest Australian capital city international airport that has reasonable flight connections to that locality.

Reunion travel for school children

671. Where a dependent child of an ongoing employee assigned to work in a remote locality listed in Table 11 who ordinarily lives with the employee is receiving primary or secondary education at a school in a locality other than where the employee is assigned to work and, as a result, does not live with the employee, the Secretary will approve reunion travel for the child to visit the employee. Travel may be between the locality where the employee is assigned to work and the locality where the child is receiving education. Travel should normally be booked through the department's travel management provider.

672. Where it is not possible to book travel through the travel management provider, the employee will be reimbursed as follows:

672.1 if the child travels from the locality where they are receiving education to the locality where the employee is assigned to work, an amount equal to the cost of return fares reasonably incurred by the employee; or

672.2 if the child travels from the locality where they are receiving education to a locality other than where the employee is assigned to work to visit the employee or the partner of the employee, an amount equal to the lesser of the cost of return fares reasonably incurred by the employee and the amount that would have been reimbursed if the child had travelled to the locality where the employee is assigned to work.

673. Reunion travel will be limited to 3 return fares per dependent child during a school year. The Secretary may approve an additional reunion visit if:

673.1 the child has already been authorised for 3 return fares in a year;

673.2 the child attends a school that has 4 terms in a school year; and

673.3 the Secretary is satisfied that there are special circumstances requiring an additional reunion visit.

674. Each dependent child away at school who would otherwise normally reside with an employee at a remote locality will also be entitled to an annual reimbursement of leave fare, as provided for at clauses 671 to 673.

Correspondence school travel assistance

675. Where a dependent child of an ongoing employee assigned to work in a remote locality who lives with the employee and is studying at primary or secondary school level by correspondence is required to travel to another location as part of their course of study, the Secretary may approve reimbursement of airfares on up to 3 occasions during a school year.

Additional travel leave for Christmas Island and Cocos (Keeling) Islands employees

676. The Secretary may grant up to an additional 5 days paid leave per calendar year to employees on Christmas Island and Cocos (Keeling) Islands. This leave may be taken in the following circumstances:

676.1 for travel time when employees are required to travel for medical, specialist, dental, emergency or compassionate reasons using personal/carer's leave; and/or

676.2 where a scheduled flight they are booked to travel on during any other paid leave is cancelled, delayed or unable to complete its service (i.e. due to atmospheric conditions or mechanical breakdown). Supporting evidence from the air carrier will be required.

Re-crediting of annual leave for annual medical examinations

677. Employees who return from annual leave having had an annual medical examination will be re-credited one day of annual leave and have one day of personal/carer's leave subsequently deducted from their leave balance. Employees will be required to produce supporting evidence (e.g. a medical certificate) to claim this entitlement.

Travel other than by air

678. If a mode of travel other than by air is approved, an employee will receive:

678.1 payment of motor vehicle allowance (clause 105), up to the amount that would have been reimbursed had the employee travelled by air; or

678.2 where travel is by other than private motor vehicle, the reimbursement is the lesser of:

a. reimbursement of the costs reasonably incurred; or

b. the amount the employee would have been reimbursed had they travelled by air.

Term transfer fares

679. Ongoing employees temporarily assigned duties to a remote locality, with eligible dependants residing at the employee's former locality will be reimbursed the cost of travel for the purpose of reunion.
680. Reimbursement is limited to 6 reunion visits in any one year, beginning on the day that the employee commenced the temporary transfer.
681. The Secretary may authorise travel for the purpose of reunion to a locality, within Australia, other than the employee's former locality, provided that the employee pays the amount (if any) by which the cost of fares to the other locality exceeds the cost of an economy return airfare (best fare of the day) to the employee's former locality.
682. On completion of the temporary transfer, the employee and their eligible dependant/s may elect to return to the employee's former locality before commencing at a new locality for which the cost of fares will be reimbursed.

Overseas postings

683. Employees deployed overseas, on a posting or a secondment arrangement approved by the Secretary, will have their conditions set by the department's Overseas Conditions of Service guide. In determining and updating the guide the Secretary will have regard to the whole of government guidance and the overseas conditions of service determined by the Department of Foreign Affairs and Trade.

Section 10: Consultation, representation and dispute resolution

Consultation

Principles

684. Genuine and effective consultation with employees and the relevant union(s), taking into account the diverse needs of employees, fosters a positive and inclusive workplace, enabling the views of employees to be considered.
685. The department recognises:
- 685.1 the importance of inclusive and respectful consultative arrangements;
 - 685.2 employees and the relevant union(s) should have a genuine opportunity to influence decisions;
 - 685.3 the nature and extent of consultation will vary depending on the proposed change and the likely impact on employees. Consultation on department policies may occur over at least 2 weeks, whereas a major change is likely to require a more extensive consultation process;
 - 685.4 consultation with employees and relevant union(s) on workplace matters that significantly affect or materially impact them is sound management practice; and
 - 685.5 the benefits of employee and union involvement and the right of employees to be represented by their union.
686. Genuine and effective consultation involves:
- 686.1 providing employees and the relevant union(s) with a genuine opportunity to influence the decision prior to a decision being made;
 - 686.2 providing all relevant information to employees and the relevant union(s) in a timely manner to support consideration of the issues;
 - 686.3 considering feedback from employees and the relevant union(s) in the decision making process; and
 - 686.4 advising employees and the relevant union(s) of the outcome of the process, including how their feedback was considered in the decision making process.

When consultation is required

687. Consultation is required in relation to:
- 687.1 changes to work practices which materially alter how an employee carries out their work;
 - 687.2 changes to or the introduction of policies or guidelines relevant to workplace matters (unless the changes are minor or procedural);

- 687.3 major change that is likely to have a significant effect on employees;
 - 687.4 implementation of decisions that significantly affect employees;
 - 687.5 changes to employees' regular roster or ordinary hours of work (subject to any other relevant provisions in this agreement); and
 - 687.6 other workplace matters that are likely to significantly or materially impact employees.
688. The department, employees and the relevant union(s) recognise that consultation prior to a decision may not be practicable where a decision is made by Government or is required due to matters beyond the reasonable control of the department. In these circumstances, consultation regarding the implementation of the decision will occur as early as is reasonably practicable.

Provisions for consultation on major change and introduction of a change to regular roster or ordinary hours of work of employees

689. This clause applies if the department:
- 689.1 proposes to introduce a major change to production, program, organisation, structure or technology in relation to its enterprise that is likely to have a significant effect on the employees; or
 - 689.2 proposes to introduce a change to the regular roster or ordinary hours of work of employees.

Representation

690. Employees may appoint a representative for the purposes of the procedures in this clause. A representative for the purpose of this clause may be a union representative.
691. The department must recognise the representative if:
- 691.1 a relevant employee appoints, or relevant employees appoint, a representative for the purposes of consultation; and
 - 691.2 the employee or employees advise the employer of the identity of the representative.

Major change

692. In this clause, a major change is likely to have a significant effect on employees if it results in, for example:
- 692.1 the termination of the employment of employees;
 - 692.2 major change to the composition, operation or size of the employer's workforce or to the skills required of employees;
 - 692.3 the elimination or diminution of job opportunities (including opportunities for promotion or tenure);
 - 692.4 the alteration of hours of work;

- 692.5 the need to retrain employees;
 - 692.6 the need to relocate employees to another workplace; or
 - 692.7 the restructuring of jobs.
693. The following additional consultation requirements in clause 694 to 700 will apply to a proposal to introduce a major change referred to in clause 692.
694. Consultation with employees and the relevant union(s) and/or recognised representatives will occur prior to a decision being made, subject to clause 692.
695. Where practicable, a department change manager or a primary point of contact will be appointed and their details provided to employees and the relevant union(s) and/or their recognised representatives.
696. The department must notify employees and relevant union(s) and/or recognised representatives of the proposal to introduce the major change as soon as practicable.
697. As soon as practicable after proposing the change, or notifying of the change in circumstances described at clause 688, the department must:
- 697.1 discuss with affected employees and relevant union(s) and/or other recognised representatives:
 - a. the proposed change;
 - b. the effect the proposed change is likely to have on the employees; and
 - c. proposed measures to avert or mitigate the adverse effect of the proposed change on the employees; and
 - 697.2 for the purposes of the discussion – provide, in writing, to employees and the relevant union(s) and/or other recognised representatives:
 - a. all relevant information about the proposed change, including the nature of the change proposed;
 - b. information about the expected effects of the proposed change on the employees; and
 - c. any other matters likely to affect the employees.
698. The department must give prompt and genuine consideration to matters raised about the major change by employees and the relevant union(s) and/or other recognised representatives.
699. However, the department is not required to disclose confidential or commercially sensitive information to employees and the relevant union(s) and/or other recognised representatives.
700. If a term in this agreement provides for a major change to production, program, organisation, structure or technology in relation to the enterprise of the department, the requirements set out in clauses 694 to 700 are taken not to apply.

Change to regular roster or ordinary hours of work

701. The following additional consultation requirements in clause 702 to 704 apply to a proposal to introduce a change referred to in clause 687.5.
702. The department must notify affected employees and the relevant union(s) and/or other recognised representatives of the proposed change.
703. As soon as practicable after proposing to introduce the change, the department must:
- 703.1 discuss with employees and the relevant union(s) and/or other recognised representatives:
 - a. the proposed introduction of the change; and
 - 703.2 for the purposes of the discussion – provide to the employees and relevant union(s) and/or other recognised representatives:
 - a. all relevant information about the proposed change, including the nature of the proposed change; and
 - b. information about what the employer reasonably believes will be the effects of the proposed change on the employees; and
 - c. information about any other matters that the employer reasonably believes are likely to affect the employees; and
 - 703.3 invite employees and the relevant union(s) and/or other recognised representatives to give their views about the impact of the change (including any impact in relation to their family or caring responsibilities). However, the department is not required to disclose confidential or commercially sensitive information to the relevant employees and the relevant union(s) and/or other recognised representatives.
704. The department must give prompt and genuine consideration to matters raised about the proposed change by the employees and the relevant union(s) and/or other recognised representatives.

Interaction with emergency management activities

705. Nothing in this term restricts or limits the ability of a designated emergency management body to undertake activities provided at section 195A(1) of the FW Act.

National consultative committee

706. There will be a National Consultative Committee (NCC) with meetings held at least 3 times per year.
707. The NCC will consist of equal representation from senior management, elected employee representatives and CPSU representatives from Sub Consultative Committees, and a CPSU official. The NCC will operate under an agreed Terms of Reference (ToR).
708. The NCC can establish sub consultative committees (SCC) as required. There will be SCCs for Canberra, the department's regional locations, and On-Plant Export Meat.

709. Each SCC will consist of equal representation from senior management, elected employee representatives and CPSU representatives, and a CPSU official. Sub committees will meet at least 3 times per year, prior to the NCC where possible, and will operate in accordance with an agreed terms of reference that are consistent with the NCC ToR to the extent practicable, taking the into account the unique nature of the SCC.
710. Members of the NCC and SCCs will work collaboratively through a process of consultation and discussion.
711. The NCC and SCCs will provide an opportunity for senior management, employees and CPSU representatives to:
- 711.1 consult on, monitor and advise on the implementation and application of the provisions of the agreement;
 - 711.2 facilitate discussion on strategic and other significant matters affecting employees within the department including implications concerning information technology, accommodation, legislative, budgetary, organisational, technological, procedural change impacting employees and significant workforce profile changes;
 - 711.3 identify productivity initiatives or efficiency measures;
 - 711.4 be briefed on proposed major change to production, program, organisation, structure, or technology in the department that is likely to have a significant effect at a national level on terms and conditions of employment; and
 - 711.5 discuss issues escalated from a sub-consultative committee.
712. The NCC and SCCs are not forums for:
- 712.1 matters relating to enterprise bargaining;
 - 712.2 replacing local workplace consultation, communication and decision making;
 - 712.3 individual staff issues;
 - 712.4 issues that are more appropriately dealt with in another forum; or
 - 712.5 dealing with disputes which have been raised under the dispute resolution processes in this agreement.

APS consultative committee

713. The Secretary will support the operation of the APS consultative committee to the extent possible. This includes providing information requested by the Australian Public Service Commission to support the operation of the APS consultative committee, subject to legislative requirements.

Dispute resolution

714. If a dispute relates to:
- 714.1 a matter arising under this agreement; or

714.2 the National Employment Standards;

this term sets out procedures to settle the dispute.

715. An employee or union who is covered by this agreement may initiate and/or be a party to a dispute under this term.
716. An employee who is a party to the dispute may appoint a representative for the purposes of the procedures in this term. Representatives will be recognised and dealt with in good faith.
717. Parties to the dispute must attempt to resolve the dispute at the workplace level, by discussion between the employee or employees and relevant manager. Parties to the dispute will notify higher level managers to assist in the resolution of the dispute. Parties will give genuine consideration to proposals to resolve the dispute.
718. If a dispute about a matter arising under this agreement is unable to be resolved at the workplace level, and all appropriate steps under clause 717 have been taken, a party to the dispute may refer the dispute to the Fair Work Commission.
719. The Fair Work Commission may deal with the dispute in 2 stages:
- 719.1 the Fair Work Commission will first attempt to resolve the dispute as it considers appropriate, including by mediation, conciliation, expressing an opinion or making a recommendation; and
- 719.2 if the Fair Work Commission is unable to resolve the dispute at the first stage, the Fair Work Commission may then:
- a. arbitrate the dispute; and
 - b. make a determination that is binding on the parties.

Note: If the Fair Work Commission arbitrates the dispute, it may also use the powers that are available to it under the Act. A decision that the Fair Work Commission makes when arbitrating a dispute is a decision for the purpose of Div 3 of Part 5.1 of the Act. Therefore, an appeal may be made against the decision.

720. While the parties are attempting to resolve the dispute using the procedures in this term:
- 720.1 an employee must continue to perform their work as they would normally in accordance with established custom and practice at the department that existed immediately prior to the dispute arising unless they have a reasonable concern about an imminent risk to their health or safety; and
- 720.2 subject to clause 720.1, an employee must comply with a direction given by the employer to perform other available work at the same workplace, or at another workplace, unless:
- a. the work is not safe;
 - b. applicable work health and safety legislation would not permit the work to be performed;
 - c. the work is not appropriate for the employee to perform; or

- d. there are other reasonable grounds for the employee to refuse to comply with the direction.

721. The parties to the dispute agree to be bound by a decision made by the Fair Work Commission in accordance with this term.

722. Any disputes arising under the:

722.1 *Department of the Environment and Energy Enterprise Agreement 2016-2019 as maintained by the Public Service (24(1) Department of Agriculture, Fisheries and Forestry Non-SES Employees) Determination 2022/1;*

722.2 *Department of Agriculture and Water Resources Meat Inspection Enterprise Agreement 2019-22 as maintained by the Public Service (Terms and Conditions of Employment) (Meat inspectors) Determination 2020;*

722.3 *Department of the Environment and Energy Enterprise Agreement 2016-2019 or Department of Agriculture and Water Resources Enterprise Agreement 2017-2020 as maintained by the Public Service (Terms and Conditions of Employment)(Biosecurity and Veterinary Employees) Determination 2020; or*

722.4 National Employment Standards

that were formally notified under the dispute resolution clauses of the relevant agreement before the commencement of this agreement, that remain unresolved at the date of commencement of this agreement, will be progressed under the dispute resolution procedures in this agreement.

Leave of absence to attend proceedings

723. Where the provisions of clauses 714 to 718 have been complied with, and to assist in the resolution of the matter, the employee, and/or the union delegate or other employee representative referred to in clause 716, or employee required to provide evidence, will be granted paid time to attend dispute resolution processes and proceedings in the Fair Work Commission arising from referral of the matter in clause 718.

Delegates' rights

724. Union delegates play an important and legitimate role in the workplace. This includes representing their members and supporting employee access to union officials, and providing employee views to the department.

725. The role of union delegates is to be respected and supported.

726. The department and union delegates will work together respectfully and collaboratively.

727. An employee may have a union workplace delegate represent them in workplace matters concerning their employment.

Supporting the role of union delegates

728. The department respects the role of union delegates to:

728.1 provide information, consult with and seek feedback from employees in the workplace on workplace matters;

- 728.2 consult with other delegates and union officials, and get advice and assistance from union officials;
 - 728.3 represent the interests of members to the employer and industrial tribunals; and
 - 728.4 represent members at relevant union forums, consultative committees or bargaining.
729. The department and union delegates recognise that undertaking the role of a union delegate is not the primary purpose of an employee's engagement, and must work with and not unreasonably impact their regular duties. Honorary officials may request additional time and facilities from time to time.
730. Union delegates will be provided with reasonable paid time during their normal working hours to perform their union delegate role. The paid time provided should not result in disruption to critical services or operational requirements.
731. To support the role of union delegates, the department will, subject to legislative and operational requirements, including privacy and security requirements:
- 731.1 provide union delegates with reasonable access to department facilities and resources, including for paid or unpaid meetings between employees and their unions and to communicate with union officials;
 - 731.2 advise union delegates and other union officials of the department facilities and resources available for their use, which may include telephone, photocopying, internet, and email;
 - 731.3 allow reasonable official union communication appropriate to the department from union delegates with employees, including through email, intranet pages and notice boards. This may include providing a link to a union website for employees to access union information. Any assistance in facilitating email communications does not include the department vetoing reasonable communications;
 - 731.4 provide access to new employees as part of induction; and
 - 731.5 provide reasonable access to union delegates to attend appropriate paid time training in workplace relations matters, during normal working hours.
732. Where APS employees are elected as officials of a trade union or professional association, they are not required to seek permission from the workplace or department before speaking publicly in that capacity, subject to the APS Code of Conduct and legislative requirements.

Section 11: Separation and retention

Resignation

733. An employee may resign from their employment by giving the Secretary at least 14 calendar days' notice.
734. At the instigation of the Secretary, the resignation may take effect at an earlier date within the notice period. In such cases, the employee will receive paid compensation in lieu of the notice period which is not worked.
735. The Secretary has the discretion to agree to a shorter period of notice or waive the requirement to give notice.

Termination for misconduct

736. Nothing in this agreement prevents the Secretary from terminating the employment of an employee for serious misconduct, without further notice or payment in lieu, in accordance with the FW Act, subject to compliance with the procedures established by the Secretary under section 15 of the PS Act for determining whether an employee has breached the Code of Conduct.

Payment on death of an employee

737. When an employee dies, or the Secretary has directed that an employee is presumed to have died on a particular date, subject to any legal requirements, the Secretary must authorise payments to the partner, dependants or legal representative of the former employee, the amount to which the former employee would have been entitled had they ceased employment through resignation or retirement, or where legislation provides specifically for amounts calculated based on the death of the employee, those amounts. If payment has not been made within a year of the former employee's death, it should be made to their legal representative.

Redeployment, retraining and redundancy

Application

738. The provisions contained in this clause only apply to ongoing employees not on probation.
739. 'Excess employee' means an employee who is excess to the requirements of the department if the Secretary determines:
- 739.1 the employee is included in a class of employees employed in the department, and that class comprises a greater number of employees than is necessary for the efficient and economical working of the department; or

- 739.2 the service of the employee cannot be effectively used because of technological or other changes, or changes in the nature, extent or organisation of the functions of the department; or
- 739.3 the duties usually performed by the employee are to be performed at a different locality, the employee is not willing to perform duties at the locality and the Secretary has determined that these provisions will apply to the employee.

Consultation process

- 740. When the Secretary is aware that the employee is likely to become excess, the Secretary will advise the employee of the situation, in writing.
- 741. The department will consult with employees who are likely to become excess in accordance with the provisions in section 10 of this agreement.
- 742. The Secretary will hold discussions with the employee to consider:
 - 742.1 reasons for the excess situation and the method used to determine excess employees;
 - 742.2 measures that could be taken to resolve the situation, including redeployment opportunities at or below current classification level, or exploring opportunities to be placed on a local or department wide redeployment register;
 - 742.3 job swap opportunities at level;
 - 742.4 whether voluntary redundancy might be appropriate; and
 - 742.5 for meat inspectors, referral to an appropriate employment agency.
- 743. Where the employee nominates a representative, the Secretary will hold the discussions with the employee and representative.
- 744. The Secretary may, prior to the conclusion of these discussions, invite employees who are not excess to express interest in voluntary redundancy, where the redundancy of those employees permits the redeployment of employees who are in an excess situation and who would otherwise remain excess.
- 745. The Secretary will determine if the employee is excess to the requirements of the department and if so, advise the employee of this in writing:
 - 745.1 after the discussions in clause 742 have been held; or
 - 745.2 one month after the Secretary has requested discussions pursuant to clause 742, and the employee or their nominated representative have declined to discuss the matter.
- 746. The Secretary will then consult with the employees who have been determined to be excess and establish those who want to be offered voluntary redundancy immediately and those who want to seek redeployment. For meat inspectors, an employee seeking redeployment will be advised in writing that they are excess (if this has not already occurred) and will immediately be referred to an appropriate employment agency for redeployment assistance.

747. The Secretary will take all reasonable steps in accordance with the APSC redeployment policy to redeploy an excess employee.

Voluntary redundancy

748. Where the Secretary invites an excess employee to accept voluntary redundancy, the employee will have one month in which to accept the offer.

749. Within 2 weeks of the beginning of that month referred to in clause 748 the employee will be given:

749.1 information on the amount of the severance benefit, payment in lieu of notice and payment of accrued leave credits;

749.2 information on the taxation rules applying to the various payments;

749.3 assistance to obtain superannuation information from the relevant superannuation scheme; and

749.4 up to a maximum reimbursement of \$600 for financial advice (\$700 for meat inspectors), subject to suitable evidence being provided.

750. Only one offer of voluntary redundancy will be made to an excess employee.

751. For meat inspectors, if the employee accepts an offer of voluntary redundancy the Secretary will not terminate the employee's employment under section 29 of the PS Act before the end of the 6 month period, commencing on the date the employee was advised (in writing) that the employee were excess to requirements, unless otherwise agreed. This period will include the period of notice provided for at clause 755, as far as practicable.

752. If the excess employee declines an offer of voluntary redundancy or does not accept the offer within the one month period:

752.1 the retention period clauses will apply (clause 765); and

752.2 for meat inspectors, they will immediately be referred to an appropriate employment agency.

753. Where the offer of voluntary redundancy is accepted the Secretary will not give notice of termination before the end of the one month period unless the employee chooses to waive the remainder of the period.

Period of notice

754. If the employee accepts an offer of voluntary redundancy, the Secretary may terminate the employee's employment under section 29 of the PS Act by giving notice of termination.

755. The notice period will be 4 weeks (or 5 weeks if the employee is over 45 years of age with at least 5 years of continuous service or if the employee has 20 years or more service). The applicable notice period is inclusive of the NES entitlement notice of termination or payment in lieu.

756. If the employee's employment is terminated at the beginning of, or within, the required notice period, the employee will receive payment in lieu of notice for the unexpired portion of the notice period.

Severance benefit

757. If the excess employee agrees to a voluntarily redundancy and their employment is terminated under section 29 of the PS Act the employee will be paid:
- 757.1 a severance benefit of an amount equal to 2 weeks' salary for each completed year of continuous service; and
 - 757.2 any pro rata payment for completed months of service since the last completed year of service.
758. Subject to any minimum amount of redundancy pay the employee is eligible for under the NES, the minimum sum payable under clause 757 will be 4 weeks' salary and the maximum will be 48 weeks' salary.
759. The severance benefit will be calculated on a pro rata basis for any period where the employee has worked part time hours during their period of service and has less than 24 years full time service, subject to any minimum amount of redundancy pay the employee is eligible to under the NES.
760. Service for severance purposes means:
- 760.1 service in the department;
 - 760.2 government service as defined in section 10 of the *Long Service Leave (Commonwealth Employees) Act 1976*;
 - 760.3 service with the Commonwealth (other than service with a Joint Commonwealth-State body corporate in which the Commonwealth has a controlling interest) which is recognised for Long Service Leave purposes;
 - 760.4 service with the Australian Defence Forces;
and
 - 760.5 service in another organisation where:
 - a. the employee was transferred from the APS to that organisation with a transfer of function; or
 - b. the employee was engaged in the APS as a result of a transfer of a function from that organisation in which the person was an employee; and
 - c. such service is recognised for long service leave purposes.
761. For earlier periods of service to count there must be no breaks between the periods of service, except where the:
- 761.1 break in service is less than 4 weeks and occurs where an offer of employment with the new employer was made and accepted by the employee before ceasing employment with the preceding employer; or
 - 761.2 earlier period of service was with the APS and ceased because you were deemed to have resigned from the APS on marriage under the repealed section 49 of the repealed *Public Service Act 1922*.

762. Any period of service which ceased by way of:

762.1 any of the grounds for termination specified in section 29 of the PS Act (including any additional grounds prescribed in the Public Service Regulations 1999), or on a ground equivalent to any of these grounds; or

762.2 the payment of an employer-financed redundancy benefit;

will not count as service for severance pay purposes.

763. Absences from work which do not count as service for long service leave purposes will not count as service for severance pay purposes.

Rate of payment – severance benefit

764. For the purpose of calculating any payment under clause 757, salary will include:

764.1 salary at the employee's substantive classification; or

764.2 the salary of a higher classification, at which the employee worked for a continuous period of at least 12 months immediately preceding the date on which they were given notice of termination; and

764.3 allowances that have been paid during periods of recreation leave and on a regular basis and are not a reimbursement for expenses incurred or a payment for disabilities associated with the performance of a duty, including:

a. district allowance; and

b. first aid allowance.

764.4 the weekly average of the shift loadings paid in the preceding 12 months prior to the date on which the employee was given notice of termination, when received for 50% or more of the pays over this period.

Retention periods

765. Unless the employee agrees, an excess employee will not have their employment terminated involuntarily until the following retention periods have lapsed:

765.1 Meat inspectors

a. 7 months; or

b. 13 months where the employee has 20 or more years of service, or is over 45 years of age.

765.2 Other employees

a. 30 weeks; or

b. 56 weeks, where the employee has 20 or more years of service or is over 45 years old.

766. If the employee is eligible for a redundancy payment under the NES, the retention period in clause 765 will be reduced by the redundancy pay under the NES on termination, calculated at the expiry of the retention period (as adjusted by this clause).

767. The retention period will commence on the earlier of:
- 767.1 the date the employee is advised in writing by the Secretary that the employee is excess to the requirements; or
 - 767.2 one month after the date on which the Secretary invites the employee to accept an offer of voluntary redundancy.
768. The retention period will be extended by any periods of medically certified illness or injury related personal leave taken during the retention period.
769. During the retention period the Secretary:
- 769.1 will continue to take reasonable steps to find the employee alternative employment;
 - 769.2 may, with 4 weeks' notice, transfer the employee to a job with a lower classification. Where this occurs before the end of the retention period, the employee will receive income maintenance to maintain salary at the previous higher level for the balance of the retention period;
 - 769.3 will consider claims of an excess employee for ongoing positions, in isolation, prior to any decision to notify vacancies in the Australian Public Service Gazette for positions at or below level; and
770. The excess employee will be given reasonable leave at full rate of pay and assistance in meeting reasonable travel and incidental expenses incurred in seeking alternative employment where these costs are not met by the prospective employer.
771. If the excess employee is required to move their household to a new locality as a result of a transfer or reduction in classification the employee will receive reimbursement of reasonable expenses.

Retention period – early termination

772. Where the Secretary is satisfied that:

All employees

- a. there is insufficient productive work available for the employee within the department during the remainder of the retention period;
- b. there is no reasonable prospect of redeployment in the APS;

Meat inspectors

- a. the excess employee has been receiving redeployment assistance from an appropriate employment agency for 2 months; and
 - b. the employment agency certifies that there is no reasonable prospect of redeployment in the APS;
- 772.1 the Secretary may, with the employee's agreement, terminate the employee's employment under section 29 of the PS Act and upon termination, pay the employee a lump sum comprising:
- a. the balance of the retention period (shortened to take into account entitlement to redundancy payment under the NES under clause 766 and this payment will

be taken to include the payment in lieu of notice of termination of employment); and

b. the employee's NES eligibility to redundancy pay.

773. Where the employee is reduced in classification before the end of the retention period, they will receive income maintenance payments for the remainder of the retention period. These payments will include:

773.1 the higher salary where the employee has been on a temporary assignment for more than 12 months continuously and the temporary assignment would have continued except for the excess situation; and

773.2 other allowances or loadings, not including disability or reimbursement payments, in the nature of salary which are paid during periods of leave and on a regular basis.

774. For meat inspectors, if the employee is transferred to a new locality under this clause within 24 months and the former meat establishment either re-opens, or the number of ongoing employees increases, the employee and other employees will be offered to return to that meat establishment in order of transfer dates.

Involuntary redundancy

775. Subject to clauses 776 and 777 the Secretary may terminate an excess employee's employment under section 29 of the PS Act at the end of the retention period.

776. An excess employee will not be involuntarily retrenched if they have:

776.1 not been invited to accept an offer of voluntary redundancy; or

776.2 accepted an offer of voluntary redundancy but the Secretary has refused to approve it.

777. An excess employee will not be involuntarily retrenched without being given 4 weeks' notice (or 5 weeks' notice if the employee is over 45 years of age with at least 5 years of continuous service or if the employee has 20 years or more service) of termination, or payment in lieu of notice. The applicable period of notice, as far as practicable, will be concurrent with the retention period.

778. The Secretary will not involuntarily retrench an excess employee where there is another employee doing the same work at the same level, who is seeking voluntary redundancy and who can demonstrate the same level of performance and expertise as the employee who is seeking voluntary redundancy.

Accelerated separation arrangements

779. The Secretary may directly offer the employee an accelerated separation under this clause where the employee is determined to be excess to the requirements of the department.

780. If the employee accepts an offer under clause 779 and their employment is consequently terminated under section 29 of the PS Act within 14 days of the date of the offer, the employee will, in addition to the payment of an amount calculated in accordance with clauses 757 to 764, receive:

- 780.1 if they are 45 years of age or over and have at least 5 years continuous service an amount equivalent to 11 weeks (13 weeks for meat inspectors) of final salary; or
 - 780.2 if they are not over 45 years of age with at least 5 years continuous service an amount equivalent to 10 weeks of final salary.
781. The offer will contain information on the amount of the severance benefit (including taxation treatment), payment in lieu of notice and payment of accrued leave credits. The department will also provide assistance to the employee to obtain superannuation information from the relevant superannuation scheme.
782. The payment made under clause 780 is inclusive of the NES entitlement to payment in lieu of notice of termination. When the employee accepts an offer of accelerated separation, the provisions of clauses 738 to 778 will not apply.
783. If the employee rejects an offer of accelerated separation, that offer will be deemed not to have been made, for the purposes of the redundancy provisions dealt with in this clause. Where the employee elects not to accept an offer of accelerated separation then clauses 738 to 778 will apply.

Attachment A: Base salaries

Table A1 General Employment Stream pay scale

Classification	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
APS 1	APS1-2.1	48,952	52,000	54,516	57,497
	APS1-2.2	51,888	53,964	56,015	57,920
	APS1-2.3	56,208	58,456	60,677	62,740
APS 2	APS1-2.4	59,509	61,889	64,241	66,425
	APS1-2.5	63,417	65,954	68,460	70,788
APS 3	APS3.1	63,867	66,422	68,946	71,290
	APS3.2	65,784	68,415	71,015	73,430
	APS3.3	68,960	71,718	74,443	76,974
	APS3.4	71,444	74,302	77,125	79,747
APS 4	APS4.1	72,002	74,882	77,728	80,371
	APS4.2	74,043	77,005	79,931	82,649
	APS4.3	78,386	81,521	84,619	87,496
APS 5	APS5.1	78,548	81,690	84,794	88,834
	APS5.2	80,902	84,138	87,335	90,304
	APS5.3	86,168	89,615	93,020	96,183
	APS 5.4	-	-	-	96,829
APS 6	APS6.1	88,408	91,944	95,438	99,734
	APS6.2	91,057	94,699	98,298	101,640
	APS6.3	95,353	99,167	102,935	106,435
	APS6.4	100,378	104,393	108,360	112,044
EL 1	EL1.1	115,663	120,290	124,861	129,106
	EL1.2	118,802	123,554	128,249	132,609
	EL1.3	124,403	129,379	134,295	138,861
EL 2	EL2.1	136,118	141,563	146,942	151,938
	EL2.2	140,203	145,811	151,352	156,498
	EL2.3	144,408	150,184	155,891	161,191
	EL2.4	152,934	159,051	165,095	170,708

Classification	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
	EL2.5	158,149	164,475	170,725	176,530

Table A2 Meat inspector pay scale

Classification	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
APS MI 2	Level 2	88,591	92,135	95,636	98,888
APS MI 3	Level 3	94,886	98,681	102,431	105,914
APS MI 4	Level 4	100,497	104,517	108,489	112,178

Table A3 Meat Inspector Training Broadband pay scale

Classification	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
APS MI 1	Level 1.1	67,918	70,635	73,319	75,812
	Level 1.2	75,004	78,004	80,968	83,721
	Level 1.3	82,681	85,988	89,256	92,291
APS MI 2	Level 2	88,591	92,135	95,636	98,888

Table A4 Training Broadband pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
APS 1	1	48,952	52,000	54,516	57,497
	2	51,888	53,964	56,015	57,920
	3	56,208	58,456	60,677	62,740
APS 2	4	59,509	61,889	64,241	66,425
	5	63,417	65,954	68,460	70,788
APS 3	6	63,867	66,422	68,946	71,290

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
	7	65,784	68,415	71,015	73,430
	8	68,960	71,718	74,443	76,974
	9	71,444	74,302	77,125	79,747
APS 4	10	72,002	74,882	77,728	80,371
	11	74,043	77,005	79,931	82,649
	12	78,386	81,521	84,619	87,496
APS 5	13	78,548	81,690	84,794	88,834
	14	80,902	84,138	87,335	90,304
	15	86,168	89,615	93,020	96,183
	16	-	-	-	96,829

Table A5 Public Affairs Officers Stream pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 3 March 2025 (\$)	From 12 March 2026 (\$)
PAO 1	PAO 1.1.	72,002	74,882	77,728	80,371
APS 4	PAO 1.2	78,386	81,521	84,619	87,496
PAO 1	PAO 1.3	80,902	84,138	87,335	90,304
APS 5	PAO 1.4	85,960	89,398	92,795	96,183
	PAO 1.5	-	-	-	96,829
PAO 2	PAO 2.1	91,057	94,699	98,298	101,640
APS 6	PAO 2.2	93,790	97,542	101,249	104,691
	PAO 2.3	103,642	107,788	111,884	115,688
PAO 3	PAO 3.1	115,663	120,290	124,861	129,106
EL 1	PAO 3.2	127,515	132,616	137,655	142,335
	PAO 3.3	136,118	141,563	146,942	151,938
	PAO 3.4	145,856	151,690	157,454	162,807
SPA0 1	SPA0 1.1	154,384	160,559	166,660	172,326
EL 2	SPA0 1.2	163,620	170,165	176,631	182,636

Table A6 Legal Officers Stream pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
LO 1 APS 3	LO 1.1	71,444	74,302	77,125	79,747
LO 1 APS 4	LO 1.2	78,386	81,521	84,619	87,496
LO 1 APS 5	LO 1.3	80,902	84,138	87,335	90,304
LO 1 APS 6	LO 1.4	85,832	90,199	94,563	99,734
	LO 1.5	95,353	99,167	102,935	106,435
	LO 1.6	103,145	107,271	111,347	115,133
SLO 1 EL 1	SLO 1.1	115,663	120,290	124,861	129,106
	SLO 1.2	122,365	127,260	132,096	136,587
	SLO 1.3	133,603	138,947	144,227	149,131
	SLO 1.4	141,651	147,317	152,915	158,114
PLO 1 EL 2	PLO 1.1	150,189	156,197	162,132	167,644
	PLO 1.2	154,657	160,843	166,955	172,631
	PLO 1.3	163,620	170,165	176,631	182,636

Table A7 Research Scientist Stream pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
RS 1 APS 6	RS 1.1	88,408	91,944	95,438	99,734
	RS 1.2	91,057	94,699	98,298	101,640
	RS 1.3	95,353	99,167	102,935	106,435
	RS 1.4	100,378	104,393	108,360	112,044
RS 1 EL 1	RS 1.5	115,663	120,290	124,861	129,106
	RS 1.6	118,802	123,554	128,249	132,609
	RS 1.7	124,403	129,379	134,295	138,861
SRS 1 EL 2	SRS 1.1	132,155	137,441	142,664	147,515
	SRS 1.2	136,118	141,563	146,942	151,938

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
	SRS 1.3	141,651	147,317	152,915	158,114
	SRS 1.4	145,856	151,690	157,454	162,807
	SRS 1.5	150,189	156,197	162,132	167,644
	SRS 1.6	154,657	160,843	166,955	172,631
	SRS 1.7	163,620	170,165	176,631	182,636
PRS 1	PRS 1.1	162,538	169,040	175,464	181,430
EL 2	PRS 1.2	169,091	175,855	182,537	188,743
	PRS 1.3	174,162	181,128	188,011	194,403
	PRS 1.4	183,622	190,967	198,224	204,964
SPRS 1	SPRS 1.1	190,149	197,755	205,270	212,249
EL 2	SPRS 1.2	195,855	203,689	211,429	218,618
	SPRS 1.3	201,730	209,799	217,771	225,175
	SPRS 1.4	212,017	220,498	228,877	236,659

Table A8 Veterinary Stream pay scale

Classification /Local designation	Pay point	As at 31 August 2023 (\$)	Vet Uplift (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
VO1	APS5.02	80,795	–	84,027	87,220	90,185
APS 5	APS5.03	83,032	–	86,353	89,634	92,682
	APS5.04	84,878	86,168	89,615	93,020	96,183
	APS5.05	-	-	-	-	96,829
VO2	APS6.03	95,381	–	99,196	102,965	106,466
APS 6	APS6.04	98,072	–	101,995	105,871	109,471
	APS6.05	100,424	–	104,441	108,410	112,096
	APS6.06	105,073	–	109,276	113,428	117,285
	APS6.07	114,864	–	119,459	123,998	128,214
	APS6.08	124,609	–	129,593	134,518	139,092
VO3	EL1.06	129,257	–	134,427	139,535	144,279
EL1	EL1.07	133,835	–	139,188	144,477	149,389
	EL1.08	138,354	–	143,888	149,356	154,434

Classification /Local designation	Pay point	As at 31 August 2023 (\$)	Vet Uplift (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
VO4	EL2.04	140,731	–	146,360	151,922	157,087
EL2	EL2.05	145,096	New EL2.06 pay point	150,900	156,634	161,960
	EL2.06	146,441	a	a	a	a
	EL2.07	147,545	148,480	154,419	160,287	165,737
	EL2.08	150,159	152,934	159,051	165,095	170,708
	VO5	EL2.09	152,937	154,772	160,963	167,080
EL2	EL2.10	154,772	158,149	164,475	170,725	176,530

a Pay point removed from pay structure at commencement of EA.

Table A9 On Plant Veterinarian (OPV) pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
OPV Induction	Induction	76,160	79,206	82,216	85,011
VO2	APS6.06	105,073	109,276	113,428	117,285
APS 6	APS6.07	114,864	119,459	123,998	128,214
	APS6.08	124,609	129,593	134,518	139,092

Table A10 Preserved Veterinary Classification pay scale

Classification/ Local designation	Pay point	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
VO3	EL2.01	129,257	134,427	139,535	144,279
EL2	EL2.02	133,835	139,188	144,477	149,389
	EL2.03	138,354	143,888	149,356	154,434
	EL2.04	140,731	146,360	151,922	157,087
	EL2.05	145,096	150,900	156,634	161,960
	EL2.06	146,441	152,299	158,086	163,461

Attachment B: Salary-related allowance increases

Table B1 – salary related allowances (other than remote localities)

Name of allowance	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
At sea allowance	124.01	128.97	133.87	138.42
Camping allowance	124.01	128.97	133.87	138.42
Working in the air allowance	n/a	19.97	20.73	21.43
Cadet allowance	1,296	1,348	1,399	1,447
Community language allowance rate 1	2,109	2,193	2,276	2,353
Community language allowance rate 2	3,490	3,630	3,768	3,896
Departmental Liaison Officer allowance	21,986	22,865	23,734	24,541
Study bursary university rate	3,168	3,295	3,420	3,536
Study bursary TAFE etc. rate	1,584	1,647	1,710	1,768
Workplace responsibility allowance	33.23	34.56	35.87	37.09
Outdoor and working conditions allowance	2,289.25	2,381	2,471	2,555
Operational in-field first aid allowance	866.75	899	933	965
Disturbance allowance – employee without eligible dependant/s	828	861	894	924
Disturbance allowance – employee with	1,655	1,721	1,786	1,847

Name of allowance	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
eligible dependant/s				
Disturbance allowance – additional for eligible dependent full time student	244	261	271	280
OPV/LAE additional responsibility allowance	n/a	2,000	2,076	2,147
EL Vet operational hours allowance	n/a	2,000	2,076	2,147

n/a Not applicable.

Table B2 Remote localities allowances

Locality	Condition	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
Norfolk Island ^a	with dependant	11,898	12,374	12,844	13,281
	without dependant	8,092	8,416	8,736	9,033
Christmas Island ^a	with dependant	16,658	17,324	17,982	18,593
	without dependant	11,502	11,962	12,417	12,839
Cocos (Keeling) Islands ^a	with dependant	22,624	23,529	24,423	25,253
	without dependant	15,389	16,005	16,613	17,178
Bamaga	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Broken Hill	with dependant	2,518	2,650	2,751	2,845

Locality	Condition	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
	without dependant	1,275	1,340	1,391	1,438
Broome	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Charleville	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Karratha	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Longreach	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Thursday Island	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Outer Torres Strait Islands	with dependant	n/a	12,740	13,224	13,674
	without dependant	n/a	7,880	8,179	8,457
Nhulunbuy	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Port Hedland	with dependant	8,230	8,660	8,989	9,295
	without dependant	4,672	4,920	5,107	5,281
Weipa	with dependant	8,230	8,660	8,989	9,295

Locality	Condition	As at 31 August 2023 (\$)	From the later of commencement of the agreement or 14 March 2024 (\$)	From 13 March 2025 (\$)	From 12 March 2026 (\$)
	without dependant	4,672	4,920	5,107	5,281
Biloela	with dependant	2,250	6,400	6,643	6,869
	without dependant	1,140	3,490	3,623	3,746
Bourke	with dependant	7,340	8,660	8,989	9,295
	without dependant	4,170	4,920	5,107	5,281
King Island	with dependant	7,340	8,660	8,989	9,295
	without dependant	4,170	4,920	5,107	5,281
Batchelor	with dependant	n/a	8,660	8,989	9,295
	without dependant	n/a	4,920	5,107	5,281
Cairns ^b	with dependant	2,250	2,340	2,429	2,512
	without dependant	1,140	1,186	1,231	1,273
Darwin ^b	with dependant	2,250	2,340	2,429	2,512
	without dependant	1,140	1,186	1,231	1,273
Townsville ^b	with dependant	2,250	2,340	2,429	2,512
	without dependant	1,140	1,186	1,231	1,273

a preserved higher rate from DEE. **b** Former remote locality – meat inspectors only.

n/a Not applicable.

Attachment C: Supported Wage System

1. Attachment C defines the condition which will apply to employees because of the effects of a disability and who are eligible for a supported wage under the terms of this agreement.

Definitions

2. In this Attachment:

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 Government pension scheme to provide income security for persons with a disability as provided under the *Social Security Act 1991 (Cth)*, as amended from time to time, or any successor to that scheme.

Relevant minimum wage means the minimum wage prescribed in this agreement for the classification 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 agreement wages because of a disability, as documented in the Supported Wage System Handbook. The Handbook is available from the JobAccess 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.

Eligibility criteria

3. Employees covered by this Attachment will be those who are unable to perform the range of duties to the competence level required within the classification for which the employee is engaged under this agreement, because of the effects of a disability on their productive capacity and who meet the impairment criteria for receipt of a disability support pension.
4. The Attachment does not apply to any existing employee who has a claim against the employer which is subject to the provisions of workers compensation legislation or any provision of this agreement relating to the rehabilitation of employees who are injured in the course of their employment.

Supported wage rates

5. Employees to whom this clause applies shall be paid the applicable percentage of the relevant minimum wage according to Table C1.

Table C1 Applicable percentage of relevant minimum wage paid to applicable employees

Assessed capacity (%)	Percentage of agreement rate (%)
10	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90

6. Provided that the minimum amount payable to an employee to whom the SWS applies is not less than the amount prescribed in the National Minimum Wage Order. Note: The minimum amount payable is reviewed every year in July.
7. Where an employee's assessed capacity is 10%, they must receive a high degree of assistance and support.

Assessment of capacity

8. For the purposes of establishing the percentage of the relevant minimum wage, the productive capacity of the employee will be assessed in accordance with the Supported Wage System by an approved assessor, having consulted the employer and the employee, and if the employee so desires, a union which the employee is eligible to join.
9. Assessment made under this Attachment must be documented in a SWS wage assessment agreement, and retained by the employer as a time and wages record in accordance with the FW Act.

Lodgement of SWS wage assessment agreement

10. All SWS wage assessment agreements under the conditions of this Attachment, including the appropriate percentage of the relevant minimum wage to be paid to the employee, must be lodged by the employer with the Fair Work Commission.
11. All SWS wage assessment agreements must be agreed and signed by the employee and employer parties to the assessment. Where a union which has an interest in this agreement is not a party to the assessment, the assessment will be referred by the Fair Work Commission to the union by certified mail and this agreement will take effect unless an objection is notified to the Fair Work Commission within 10 working days.

Review of assessment

12. The assessment of the applicable percentage should be subject to annual review 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 supported wage system.

Other terms and conditions of employment

13. Where an assessment has been made, the applicable percentage will apply to the relevant wage rate only. Employees covered by the provisions of the Attachment will be entitled to the same terms and conditions of employment as all other workers covered by this agreement paid on a pro rata basis.

Workplace adjustment

14. An employer wishing to employ a person under the provisions of this Attachment must take reasonable steps to make changes in the workplace to enhance the employee's capacity to do the job. Changes may involve redesign of job duties, working time arrangements and work organisation in consultation with other workers in the area.

Trial period


15. In order for an adequate assessment of the employee's capacity to be made, an employer may employ a person under the provisions of this Attachment for a Trial Period not exceeding 12 weeks, except that in some cases additional work adjustment time (not exceeding 4 weeks) may be needed.
16. 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.
17. The minimum amount payable to the employee during the Trial Period must be no less than the current weekly rate, as determined by the Fair Work Commission.
18. Work trials should include induction or training as appropriate to the job being trialled.
19. 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 under clause 8 and 9.

**Department of Agriculture, Fisheries and Forestry Enterprise
Agreement 2024-2027**

Formal acceptance of agreement and signatories

Employer:

Signed for, and on behalf of the **Department of Agriculture, Fisheries and Forestry**

Signed.....

Date.....12 March 2024

Full name: Adam Fennessy PSM


Secretary

Department of Agriculture, Fisheries and Forestry

Address: Agriculture House, 70 Northbourne Avenue, Canberra ACT 2601

Bargaining representative:

Signed for, and on behalf of the **Community and Public Sector Union**

Signed.....

Date.....15 March 2024

Full name: Brooke Muscat

National President

Community and Public Sector Union

Address: 4/224 Bunda Street, Canberra City ACT 2601

