

# VICTORIAN PUBLIC SERVICE AGREEMENT 2006

## APPENDIX 10 – MINISTERIAL CHAUFFEURS

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#### 1 APPLICATION

This Appendix applies to Ministerial Chauffeurs.

#### 2 HOURS OF WORK AND OVERTIME

##### 2.1 Ordinary Hours of Work

- 2.1.1** The ordinary hours of work are 106 in each cycle of 2 consecutive weeks.
- 2.1.2** Log Books are to be kept as required by management.
- 2.1.3** The two (2) week period encompassing the 106 hours commences on the Sunday of each non-pay week and concludes on the Saturday immediately following pay day.
- 2.1.4** The Employee is required to complete time sheets that records driving jobs and provides passenger verification of Overtime claims. Time sheets are to be submitted by the Tuesday immediately following the end of a reporting period.

##### 2.2 Overtime

- 2.2.1** Overtime is defined as the hours worked, at the direction of the Employer, whether performed on the Employer's premises or at some other locations including at the Employee's home which are:
- 2.2.1(a)** in excess of 106 hours in the agreed 2 week period; or
- 2.2.1(b)** outside the span of hours; or
- 2.2.1(c)** on a Public Holiday.
- 2.2.2** Where a Ministerial Chauffeur is directed by the Employer to work in excess of 106 hours per fortnight, or on a Public Holiday, or outside the individually negotiated and agreed hours of duty, then the Employee will be paid overtime at the rate of one and a half times their ordinary rate of salary, with the proviso that the maximum salary to be used in calculating paid overtime will be \$55,855 for the hours in excess of the standard 106 hour fortnight.
- 2.2.2(a)** The formula applied to calculate payment for overtime will be as follows:
- |                      |   |           |   |          |   |          |
|----------------------|---|-----------|---|----------|---|----------|
| <u>annual salary</u> | x | <u>14</u> | x | <u>1</u> | x | <u>3</u> |
| 365.25               |   | 1         |   | 76       |   | 2        |
- 2.2.2(b)** Alternatively, by agreement, the Employee will be entitled to time in lieu of payment for overtime on the basis of one hour in lieu for each hour of overtime. Arrangements for accessing time in lieu are to be agreed at the local level between the manager and Employee.
- 2.2.3** Where Employer directed overtime is worked on a Public Holiday, Employees will receive a minimum payment of 4 hours.
- 2.2.4** Every effort will be made to ensure requests for relief are met after Ministerial Chauffeurs have worked the 106 ordinary weekly hours.

## VICTORIAN PUBLIC SERVICE AGREEMENT 2006

### APPENDIX 10 – MINISTERIAL CHAUFFEURS

---

- 2.2.5** The Employer may direct the Employee to perform overtime work where:
- 2.2.5(a)** such work is unavoidable because of work demands; and
  - 2.2.5(b)** reasonable notice of the requirement to work overtime is given by the Employer.
- 2.2.6** Where because of the unpredictability of work the Employer is unable to provide reasonable notice and the Employee has already worked the agreed component of overtime for each week the Employee may refuse the overtime work where this would impose personal hardship or interfere with an Employee's family commitments.
- 2.2.7** Reasonable time incurred in travelling to or from the Employee's residence for the commencement or cessation of duties, either at the Employee's usual place of employment or at some other location, shall not be included for the purpose of calculating overtime or counted as time worked unless the travelling time is:
- 2.2.7(a)** undertaken outside the ordinary hours of work; and
  - 2.2.7(b)** is in excess of the travelling time incurred by the Employee in travelling between the Employee's residence and the Employee's usual place of employment.
- 2.3** In order to ensure driver and passenger safety, that Ministerial Chauffeurs are not required to work excessive hours and to facilitate equitable distribution of available overtime, Ministerial Chauffeurs must notify the Employer when approaching 50 hours overtime worked over a 2 week period, inclusive of the built-in 30 hours. In order to maintain services to allocated passengers, the Employer may seek to provide a replacement chauffeur, hire car or suggest other arrangements.
- 2.4** Should the passenger be unable or choose not to make use of alternative arrangements, the Employer will refer the cost of additional overtime payments above 100 hours per month to the Minister's Ministerial Office Operating Budget or Opposition Party leader's budget.
- 2.5** To support the Employer's position on Occupational Health & Safety the total number of Overtime hours worked by Ministerial Chauffeurs is limited to 100 hours in a four (4) weekly period. The 100 hour limit includes the 30 hours overtime per two (2) week period compensated for in Employee's ordinary salary. Further:
- 2.5.1** if there is an exceptional requirement for a Ministerial Chauffeur to exceed the limit, the Employer must be notified in advance, using the relevant form; and
  - 2.5.2** on any day overtime is claimed the Ministerial Chauffeur will advise the Employer that appropriate and adequate rest breaks have been taken during the period on duty by making a notation for that day on the timesheet.
- 2.6** To assist in ensuring that Employees receive an 8 hour break between the end of a period of overtime and any further period of ordinary time or overtime, the Employer will suggest alternative transport arrangements to passengers. Should the passenger be unable or choose not to make use of alternative arrangements, the Employer will claim reimbursement of overtime associated with any rest break penalty provided by this Agreement from the budget of the authorising passenger.

## VICTORIAN PUBLIC SERVICE AGREEMENT 2006

### APPENDIX 10 – MINISTERIAL CHAUFFEURS

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2.7 Overtime meal expenses will be paid in accordance with this **clause 35.13** of **Section 1** of **this Agreement**.

### 3 ALLOWANCES AND EXPENSES

#### 3.1 Expenses - Travel

3.2 As far as possible, the Employer will arrange with accommodation providers to pay directly for breakfast, dinner and accommodation associated with overnight or part-day travel in the course of normal duties. If this is not possible, the Employer will reimburse the Employee for these costs upon production of receipts. Reimbursement will be up to the Reasonable Benefit Limits determined by the Australian Tax Office.

3.3 Absence from the normal place of work does not in itself validate a claim for payment expenses. Where the Employee is required to report for or perform duties away from their normal work location, only the additional costs incurred above those ordinarily borne by the Employee will be reimbursed.

#### 3.4 Telephones

3.4.1 Full-time Ministerial Chauffeurs will be provided with mobile telephones for work purposes. Expenses for mobile telephones will be paid in accordance with this Agreement.

3.4.2 New Employees will not be reimbursed for home landline telephone rental. Existing Employees will not receive any reimbursement for landline telephone rental after three months from the date of commencement of this Agreement.

#### 3.5 Uniforms

3.5.1 The uniform as described below, is compulsory and must be worn at all times while on duty. Uniforms may only be worn for work purposes. Items other than those specified in this policy must not be worn. A Ministerial Chauffeur who presents for work in other than the required uniform will be considered ineligible for duties.

##### 3.5.2 Approved uniform

Upon commencement Ministerial Chauffeurs will be provided with the following items of uniform:

3.5.2(a) 2 trousers / skirts (navy)

3.5.2(b) 2 jackets (navy)

3.5.2(c) 1 vest or jumper (navy)

3.5.2(d) 5 business shirts (blue)

3.5.2(e) 1 belt (black)

3.5.2(f) 2 crested ties

3.5.2(g) Up to \$100 reimbursement for plain black shoes.

##### 3.5.3 Presentation requirements

Each Ministerial Chauffeur is required to wear a dark navy suit comprised of jacket and pants/skirt from the selection offered. The suit must be worn with a blue

## VICTORIAN PUBLIC SERVICE AGREEMENT 2006

### APPENDIX 10 – MINISTERIAL CHAUFFEURS

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business shirt and, for men, the provided tie. Generally wearing of the jacket is at the Ministerial Chauffeur's discretion but a jacket is to be available at all times. All Ministerial Chauffeurs are to wear plain black shoes.

#### **3.5.4 Uniform Allocation**

- 3.5.4(a)** The purpose of the following uniform arrangement is to ensure that Ministerial Chauffeurs are initially provided with a suitable corporate wardrobe and to provide yearly financial assistance toward the purchase by the Ministerial Chauffeur of additional approved clothing dependant on personal preference or need.
- 3.5.4(b)** Additional approved uniform items may be purchased at the driver's own expense.

#### **3.5.5 Reimbursement**

- 3.5.5(a)** After the first 12 months of employment and each 12 months thereafter, up to \$550 (which includes G.S.T.) reimbursement will be provided for the following approved items – blue shirts, navy blue trousers/skirt, jacket, vest/jumpers, overcoat (optional).
- 3.5.5(b)** After 24 months of employment and each 24 months thereafter - up to \$220 (which includes G.S.T.) reimbursement for approved shoes, belt, ties, socks, sunglasses, hats, sun-screen. Ministerial Chauffeurs who have received reimbursement for shoes in the 2 years prior to November 2001 will be eligible for reimbursement on or after their 2 year anniversary.
- 3.5.5(c)** Monetary amounts in this sub-clause will be adjusted in line with VPS salary increases.

#### **3.5.6 Uniform Care**

Items of uniform are to be kept by Employees in a clean and presentable manner. Employees are responsible for ensuring that all practical steps are taken to prevent damage or loss.

#### **3.5.7 Uniform return**

Ministerial Chauffeurs leaving employment must return each uniform item that has been provided by the Department. Suits must be dry cleaned prior to return and other items must be laundered.

### **4 DRIVERS LICENCES – PROOF OF CURRENCY**

- 4.1** It is a condition of employment that all Ministerial Chauffeurs hold a full Victorian Driver's licence.
- 4.2** Proof of currency of the above licence is to be provided to the Employer annually. Employees arranging their Vic Roads certificate of currency will be reimbursed for the cost of that certificate on presentation of the certificate and receipt of payment. Employees can elect for the Employer to obtain the certificate on their behalf by signing the appropriate VicRoads Consent to Release Form.

## VICTORIAN PUBLIC SERVICE AGREEMENT 2006

### APPENDIX 10 – MINISTERIAL CHAUFFEURS

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#### **5 ASSISTING WITH POOL DUTIES**

Where possible, passenger-assigned Ministerial Chauffeurs will assist with pool duties during ordinary working hours or outside ordinary working hours if pool drivers are unavailable as long as they do not exceed 100 hours overtime by doing so.

#### **6 COMPLIANCE WITH ROAD LAWS**

Ministerial Chauffeurs are required at all times to comply strictly with all road laws, traffic regulations and council by-laws and are personally responsible for any breaches.

#### **7 USE OF MINISTERIAL VEHICLES**

Fleet ministerial vehicles may be driven by the Minister, allocated passenger or approved Employees when assigned Ministerial Chauffeurs become fatigued. Ministerial vehicles are not to be taken out of Victoria without the prior approval of the Premier.