

**Department of Justice Prison Officers' Industrial Agreement 2018**  
**Schedule of variations made to the Department of Corrective Services Prison Officers' Industrial Agreement 2016**  
Clauses not identified will be regarded as no change and a rollover of the existing provision.

CLAUSE NUMBER	CLAUSE TITLE	DETAILED DESCRIPTION
1.	<b>TITLE</b>	Title of Agreement changed to <i>Department of Justice Prison Officers' Industrial Agreement 2018</i> .
2.	<b>ARRANGEMENT</b>	Amended to reflect new arrangement.
3.	<b>PARTIES BOUND BY THIS AGREEMENT</b>	1. Amended subclause 3.1 to insert This Agreement is between the Minister for Corrective Services and the Western Australian Prison Officers' Union of Workers.  2. Subclause 3.2 deleted.  3. Subclause 3.3 - number of employees covered by the Agreement updated.
5	<b>TERM OF AGREEMENT</b>	The Agreement will operate from the date of registration until expiry 10 June 2020.
6.	<b>RELATIONSHIP WITH LEGISLATION, AWARDS AND OTHER AGREEMENTS</b>	Subclause 6.1 updated to reflect <i>Department of Corrective Services Prison Officers' Industrial Agreement 2016</i>
7.	<b>DEFINITIONS</b>	1. Agreement – update name  2. Annual Leave Letter–check clause reference in the definition.  3. Employer to reflect Minister. Amendments will be made throughout the Agreement to replace Department with Employer where appropriate.  4. Merged definition of "Defacto relationship" into the definition for "Partner".  5. Define ETP which is the Essential Training Program for Vocational Support Officers.  6. Declared Major Emergency will be called by Commissioner Corrective Services.

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		<p>7. Metropolitan Prison include Wandoo Rehabilitation Prison.</p> <p>8. Officer shall mean an employee classified etc...</p> <p>9. Inclusion of GA7 Redeployment and Redundancy definitions including registered employee, surplus employee, suitable office, post or position.</p>
10.	<b>TYPES OF EMPLOYMENT</b>	<p>1. Title changed to Types of Employment and Employer Preference.</p> <p>2. Employer Preference clause inserted into clause to provide commitments regarding employer preference for permanent employment.</p>
12.	<b>FIXED TERM EMPLOYMENT</b>	Provisions changed to align (where appropriate) with cross sector provisions relating to priority consideration of surplus employees and reference to government policy on fixed term and casual contract conversion.
16. New: 17	<b>RE-ENGAGEMENT IN EMPLOYMENT</b>	<p>1. Subclause 16.1 amended to reflect that re-engaged officers may be exempt from the ELTP after undertaking a training needs assessment.</p> <p>2. Subclause 16.2 amended to reflect that relevant service and experience is considered based on Departmental parameters.</p>
17. New: 18	<b>HEALTH AND WELLNESS</b>	Subclause 17.1 that the employer must provide reasonable evidence for referral to medical practitioner nominated by the Department and provide a written explanation to the Officer why such action is being taken.
18. New: 19	<b>HOURS OF DUTY</b>	<p>1. Sub clause 18.7 amended to include that Introduction of change provisions will apply prior to a request from the Department to enter negotiations to vary shift lengths. The Employer, will follow the provisions set out in Clause 173 Introduction of Change when making a request.</p> <p>2. Subclause 18.12 amended to update handover provisions.</p>
19. New: 20	<b>MEAL BREAKS</b>	1. Subclauses 19.1 – 19.3 revised to define what constitutes as being on duty during a meal break and to clarify commencement of meal breaks.
22. New: 23	<b>OVERTIME BETWEEN ROSTERED SHIFTS</b>	Renamed clause to Minimum Time off Duty when Overtime is Worked.

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23. New: 24	RESTRICTIONS ON OVERTIME	Subclause 23.1 (a) "after a period of Personal Leave for Illness or Injury until the Officer has completed an ordinary shift" removed.
28. New: 29	ROSTER ALTERATIONS	Subclause 28.3 - "unforeseen" replaced with "unforeseeable".
29. New: 30	SHIFT SWAPS	<ol style="list-style-type: none"> <li>1. Subclause 29.3 – "Where possible, Shift Swaps should be with an Officer of the same unit to ensure continuity for case management purposes" deleted</li> <li>2. Subclauses 29.5(b) (ii), (iii) and (iv) amended to enable up to 7 night shifts in a row.</li> </ol>
31. New: 32	RATE OF PAY	<ol style="list-style-type: none"> <li>1. Subclause 31.2 amended to reference that salary increases are paid in accordance with Schedule A of the Agreement.</li> <li>2. Subclause 32.3 inserted to enable salary increase to be applied from the date of in-principle agreement.</li> </ol>
35. New: 36	PAYMENT ERRORS	<p>Subclause 35.4(a) amended to ensure automatic deductions do not occur on 'discovery' (consultation on a repayment plan must occur if not discovered immediately).</p> <p>Subclause 35.4 (b) amended to replace the word "cumulative" with "other".</p>
38. New: 39	COMPOSITE ALLOWANCE	<p>Adjusted by 1.45%</p> <p>11 June 2018 \$4.80 11 June 2019 \$4.87</p>
39. New: 40	COMPRESSED AIR BREATHING APPARATUS ALLOWANCE	<p>Adjusted by 1.45%</p> <p>11 June 2018 \$28.86 11 June 2019 \$29.28</p>
44. New: 45	SPECIAL OPERATIONS GROUP/ALBANY SECURITY UNIT ALLOWANCE	<p>Adjusted by 1.45%</p> <p>11 June 2018 \$49.30 11 June 2019 \$50.02</p>

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49. New: 50	OFFICER IN CHARGE ALLOWANCE	<p>1. Sub- clause 49.1 amended to clarify that Officer in Charge Allowance is payable to officer in charge of Special Operations Group.</p> <p>2. Adjusted by 1.45%</p> <p>11 June 2018 \$28.58 11 June 2019 \$28.99</p>
51. New: 52	PAGER ALLOWANCE	Renamed allowance to SOG Contact Allowance.
53 New: 54	REGIONAL INCENTIVE ALLOWANCE	<p>Allowances adjusted by existing methodology.</p> <p>Tier 1 - \$4,557 pa Tier 2 - \$2,280 pa</p>
56. New: 57	REMOVAL ALLOWANCE	<p>Subclause 56.1 (b) amended to,</p> <p>“An Officer must submit in writing to the Department any request for payment of a volume amount in excess of 45 cubic metres. Any such request requires the prior written approval of the Commissioner Corrective Services”.</p>
58. New: 58	SENIOR WORK CAMP OFFICER ALLOWANCE	<p>Adjusted by 1.45%</p> <p>11 June 2018 \$60.10 11 June 2019 \$60.97</p>
64. New: 65	TRAVELLING ALLOWANCE (SPECIAL)	<p>Adjusted by existing methodology.</p> <p>Pardelup Prison Farm - \$6.30 Karnet - \$5.29 Wooroloo - \$5.29</p>
67. New: 68	VARIATION TO ALLOWANCES	Subclause 67.2 amended to reflect new annual increase percentage (for salary based allowances) to 1.45%.

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		Subclause 67.3 amended to replace reference to Pager Allowance with SOG Contact Allowance.
<b>70. New: 71</b>	<b>ACCESSING PERSONAL LEAVE</b>	<ol style="list-style-type: none"> <li>1. Subclause 72.1 (b) amended to align carer's leave provisions with <i>Minimum Conditions of Employment Act 1993</i>.</li> <li>2. References to "primary care giver" within subclause 71 and clause 74 – Absenteeism Management replaced with "carers leave" where appropriate.</li> </ol>
<b>72. New: 73</b>	<b>APPLICATION FOR PERSONAL LEAVE</b>	<ol style="list-style-type: none"> <li>1. Expansion of the minimum evidentiary requirement for personal leave to allow for a signed statement as per the established Department template to be sufficient evidence where a medical certificate cannot be obtained in line with the provisions of the Department of Justice (Youth Custodial Officers') CSA General Agreement 2017.</li> <li>2. Deleted subclause 72.5 (a) (ii) as exemption for regional employees no longer required.</li> </ol>
<b>79. New: 80</b>	<b>ANNUAL LEAVE ROSTER</b>	<ol style="list-style-type: none"> <li>1. Adjust the table so that the 1st line is July, 5<sup>th</sup> line is Xmas.</li> <li>2. Inserted new provision at subclause 80.3 that allows for annual leave rosters to be developed and managed locally by the Superintendent subject to the annual block sequence and principles of the Agreement being followed.</li> </ol>
<b>83. New: 84</b>	<b>ANNUAL LEAVE LOADING</b>	Table inserted at subclause 84.6(b) to reflect maximum leave loading amounts and remove reference to Department of Commerce (former) Circular.
<b>85 – 97 New: 86 - 99</b>	<b>MATERNITY LEAVE</b>	Amended to include applicable provisions from <i>Public Service and Government Officers CSA General Agreement 2017</i> and to align with legislative requirements.
<b>98 - 103 New: 100 - 105</b>	<b>ADOPTION LEAVE</b>	Amended to include applicable provisions from <i>Public Service and Government Officers CSA General Agreement 2017</i> and to align with legislative requirements.
<b>104 - 109 New: 106 – 111</b>	<b>OTHER PARENT LEAVE</b>	Amended to include applicable provisions from <i>Public Service and Government Officers CSA General Agreement 2017</i> and to align with legislative requirements.
<b>110 – 113 New: 112 –</b>	<b>PARTNER LEAVE</b>	Amended to include applicable provisions from <i>Public Service and Government Officers CSA General Agreement 2017</i> and to align with legislative requirements.

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115		Clarify that unpaid partner leave concludes within the first 12 months following the birth or adoption of a child.
116. New: 118	<b>COMMENCEMENT OF LONG SERVICE LEAVE</b>	Insertion of sub clause 118.2. "Where an Officer's long service leave request is refused by the Employer, the Officer and the Employer may agree to an alternative time for the long service leave to be taken. Where agreement cannot be reached within four weeks of the original request being refused, the Employer may direct in accordance with sub clause 118.1."
117. New: 119	<b>DURATION OF LONG SERVICE LEAVE</b>	Subclause 119.1 amended so that applications for Long Service Leave of periods of one day or more shall not be unreasonably withheld.
134. New: 136	<b>PURCHASED LEAVE 50/52 OR 49/52 SALARY ARRANGEMENT</b>	Subclause 136.6 amended to remove reference to 2010 and set to previous 5 years.
140. New 143	<b>EMPLOYER INITIATED TRANSFERS</b>	Amended subclause 143.1 to reflect that residential lease arrangements will be considered where the Department is contemplating the transfer of an Officer.  Subclause 143.6 amended to include that the notice period can be extended up to 12 weeks taking into consideration the distance and arrangements that need to be made by the Officer.
143. New: 146	<b>TIME LIMITS ON FURTHER TRANSFERS</b>	Amended subclause 143.1 to reflect intent of Award provision which was changed in 2013 round of negotiations.
144. New: 147	<b>GENERAL TRANSFER CONDITIONS</b>	Inserted in subclause 144.4 Wandoo Reintegration Prison.
149. New: 152	<b>ACTING SENIOR OFFICER AND OFFICER IN CHARGE APPOINTMENTS</b>	1. Amended subclause 149.1 in light of the Hakea dispute outcome. 2. Amended subclause 149.3 from "most Senior Officer" to "most senior Officer".
152.	<b>REVIEW OF THE PRINCIPAL OFFICER JOB DESCRIPTION FORM</b>	Clause deleted – obsolete.

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170.	<b>MEMBERSHIP OF CONSULTATIVE COMMITTEES</b>	Update membership of PCC to reflect Department structure: Assistant Commissioner Adult Custodial Operations or designated position.  Assistant Director Workplace Relations Executive Director Corporate Services Director Human Resources Director Infrastructure Services,  Director Training Academy
171. New: 173	<b>ADMINISTRATION OF LCCs and PCCs</b>	173.5-173.8 Inserted new sub clause requiring the Department to maintain an Occupational Safety and Health (OSH) Representative Register.
178. New: 180	<b>FACILITIES FOR UNION REPRESENTATIVES</b>	1. Amended sub clause 178.3(a) "Electorate" to "Elected".  2. Following insertion of OSH register provisions at sub clause 173.5, amended 180.3 (f) to delete reference to Occupational Safety, Health and Welfare representatives.
<b>Appendix A</b>	<b>ANNUALISED SALARIES</b>	Rates of pay updated
<b>Signatories</b>		
16	<b>Redeployment and Redundancy</b>	Provisions to clarify the Employer's commitments when managing surplus employees in accordance with the Redundancy and Redeployment framework.
137	<b>Family and Domestic Violence Leave</b>	