

Our Ref:)

Enquiries:

CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO.3 OF 1986

**LONG SERVICE LEAVE GENERAL ORDER - GOVERNMENT WAGES
EMPLOYEES**

On December 15, 1985 the Western Australian Industrial Relations Commission issued a Long Service Leave General Order under Section 50 of the Industrial Relations Act.

A copy of the Order, which is operative from January 1, 1986 is attached.

The Order applies to all Government wages employees employed by Public Authorities as defined in Section 7 of the of the Industrial Relations Act except those who at the date of the Order, or subsequent to the date of the Order, receive long service leave conditions which, when viewed as a whole, are more favourable than the conditions specified in the Order.

The Order has the effect of:

1. consolidating the existing Long Service Leave Conditions which had not been consolidated since 1980 by including amendments published in the Government Gazette on February 27, 1981 and October 26, 1984 and contained in circulars to Departments and Authorities, numbers 10 of 1983 and 3 of 1985;
2. reducing the second qualifying period from 10 years to 7 years (Clause 1);
3. deleting subclause 11 (d) which provided for the payment of pro-rata long service leave to females who resign to be married;
4. recognising

- approved leave to attend trade union training
- approved leave to attend
- rostered days off as a result of a 38 hr week or nine day fortnight;

as service for the purpose of accruing an entitlement to long service leave (Clause 2(a)).

5. removing the reference to basic wage and margin in Clause 14(b); and

6. replacing the words "for reasons other than misconduct or unsatisfactory service" with the words "for reasons other than serious misconduct" in Clauses 3 (b) and 11 (a).

Following the issuance of the Order, representations have been made to Government to re-include subclause 11 (d) to enable the continuation of the payment of pro-rata long service leave to females who resign to be married. (See paragraph 3 above). Pending a decision on this matter, payment of pro rata long service leave to females who resign to be married should not be made. However, any applications received should be recorded so they can be reviewed if it becomes necessary. A further circular confirming the position in respect of this sub-clause will be forwarded in due course.

It should also be noted by employers of tradesmen that in assessing the Trades and Labor Council's claim the Government considered and approved in accordance with Clause 14(b) of the Order, the payment of tool allowance to tradesmen when on long service leave. This provision also applies from January 1, 1986.

Any enquiries concerning the Order of this Circular should be directed to Mr T Caccamo of this Office on 420 9713.

R N GEORGE

DIRECTOR

February 11, 1986 [gaam]

While we endeavour to provide accurate and up-to-date information, DOPLAR is not responsible for the results of any actions taken or not taken based on the information provided.