

**PROPOSED CHANGES TO THE
CROWN EMPLOYEES (LAW ENFORCEMENT CONDUCT COMMISSION) AWARD 2017**

PART A		
CLAUSE NO.	CLAUSE HEADING	PROPOSED CHANGES
1	Title of the Award	No change
2	Definitions	No change
3	Statement of Intent	No change
4	Salaries	No change
5	Savings of Rights	No change
6	Conditions of Employment	No change
Clause 7 – Flexible Working Hours Scheme (FWHS)		
7.4	Alter clause 7.4 to read as follows:	
	Surveillance operatives including technical surveillance operatives and Electronic Surveillance monitoring staff, in lieu of flexible working hours, are provided with ten (10) accrued days off (ADOs) per annum. ADOs accrue on a monthly basis at the rate of 0.833 of a day per month. <i>In the case of Electronic Surveillance monitoring staff ADOs will accrue on the basis of the standard 10 hour working day in the shift arrangement outlined in clause 9.2 of this Award.</i> Where ADOs accrue to 5 days, the supervisor and staff member shall develop a strategy to ensure the number of days accrued is reduced within 3 months. Accrued ADOs are paid out on termination of employment.	
7.7	In clause 7.7, move 7.7(b) to 7.7(c). Insert a new 7.7(b) to read as follows:	
	<i>Surveillance operatives, including technical surveillance operatives will have a nominal bandwidth of 7.00 am to 7.00 pm, however, the hours and bandwidth worked in these roles must necessarily be flexible due to the specialist nature of these roles.</i>	
	Remove the following sentence from the final paragraph in clause 7.7:	
	<i>The bandwidth will be the subject of review in 18 months from the commencement of this Award.</i>	
8	Flexible Working Arrangements (FWA)	No change
9	Hours of Work	No change
Clause 10 - Overtime		
10.1	Alter clause 10.1 as follows:	
	<i>10.1(a) – delete ‘Assistant Investigator (Integrity Division)’ and replace it with ‘Investigations Officer (Integrity Division)’.</i>	
	<i>10.1(e)- delete ‘Special Investigator (Financial and also Technical) (Integrity Division) and replace it with ‘Senior Technical Operative (Integrity Division).’</i>	
11	Recall to Duty	No change
12	On-Call (Stand-By) and On-Call Allowance	No change
13	Overtime Meal Breaks	No change

14	Provision of Transport in conjunction with Working Overtime	No change
15	Above-level Allowance	No change
Clause 16 – Other Allowances		
16.1	Composite Allowance – No change	
16.2	On-Call Allowance – No change	
16.3	Community language allowance scheme – <i>In the final sentence of the first paragraph change 2016 to 2018.</i>	
16.4	First Aid Allowance – <i>In the final sentence of the first paragraph change 2016 to 2018.</i>	
16.5	Associate’s Allowance – <i>Delete all reference to Associate’s allowance and replace with:</i> <i>Operational Safety Trainer Allowance – Payable to a nominated Operational Safety Trained officer who is trained and/or qualified to provide operational safety training to other officers of the LECC.</i>	
17	Grievance and Dispute Settling Procedures	No change
18	Anti-Discrimination	No change
Clause 19 – Area, Incidence and Duration		
19.2	Changed to read – <i>This award will be operative from 1 July 2018 to 30 June 2019.</i>	
20	No Extra Claims	No change
PART B		
TABLE 1 Row 1	Composite allowance – Electronic Surveillance monitoring staff 22% composite allowance unchanged <i>Composite allowance does not cover public holiday shift loadings or overtime)</i>	
TABLE 1 Row 2	Composite allowance – 22% composite allowance unchanged for: Critical Incident Monitoring Operative Covert Surveillance Team Leader Covert Surveillance Operative Senior Technical Operative (Covert Services) Technical Operative (Covert Services)	
TABLE 1 Row 3	Composite allowance (includes overtime) – Integrity Division Investigations <i>Composite allowance increased from 9% to 12%</i> Manager Investigations Integrity Senior Investigations Integrity Investigator Integrity Investigations Officer Integrity Senior Financial Investigator Integrity	
TABLE 1 Row 3	Composite allowance (includes overtime) – 9% composite allowance for: Systems Administrator ECU Senior Technical Operative ECU Technical Operative ECU	
TABLE 2	<i>Add Operational Safety Trainer allowance at a value of \$5,000 per annum</i>	

TABLE 3	<i>Delete table</i>
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PURPOSE OF PROPOSED CHANGES

PART A

Clause 7.4 – Brings clarity to what constitutes a standard working day for the Electronic Surveillance monitoring staff. Electronic Surveillance monitoring staff work 280 hours per 8 week cycle on a 4 x 10 hour days on and 4 days off basis. The shift is designed to reflect an average 35 hour working week however their working days on the current shift are 10 hour days.

Clause 7.7 – Surveillance operatives, including technical surveillance operatives, should be distinguished from all other employees in bandwidth hours because of the specialist nature of the function in a law enforcement environment.

Clause 10 – Reflects the title of current roles within the LECC organisation structure.

Clause 16.3 and 16.4 – Reflects the period to be covered by the award.

Clause 16.5 – At the time that the award was being constructed it was believed that general staff would be chosen to assume Associate’s duties, particularly in the hearing room, from time to time. The allowance was designed to compensate general staff when this occurred. On the insistence of the LECC Commissioners three Associate roles Clerk Grade 7/8 were introduced into the LECC organisation structure to cater for the requirements of each individual Commissioner. The incumbents of these roles assume Associate duties in their day to day roles. Where another staff member acts in these roles during absences they are paid an Above-level Allowance in accordance with Clause 15 of the award. The Associate’s Allowance is no longer relevant.

Clause 16.5 – The introduction of the Operational Safety Trainer allowance is designed to reasonably compensate a nominated appropriately trained and qualified LECC staff member to assume the role of training relevant staff in operational safety skills. This training has previously been conducted externally by the Australian Federal Police. The payment of this allowance to a suitably trained and qualified staff member is a cost effective means of ensuring relevant LECC staff are consistently trained in this key workplace health initiative.

PART B

Table 1 (Row 1) – Clarifying the fact that the 22% composite allowance does not cover public holiday loadings or overtime for Electronic Surveillance monitoring staff.

Table 1 (Row 3) – Increasing the composite salary allowance from 9% to 12% for Integrity Division Investigations staff to reflect the value of the roles and to help attract suitably qualified staff to specialist investigations roles which have proved difficult to fill under current remuneration levels.

Table 1 (Row 3) – 9% composite allowance remains for non-Integrity Division Investigations roles that are required to be available outside of normal business hours to respond to business problems on a regular basis.