

State Service Act 2000



Ministerial Direction No. 11: 2004

Title: LEAVE AND RELATED ARRANGEMENTS FOR EMERGENCY SERVICE VOLUNTEERS

Issue Date: 5 APRIL 2004

Operation Date: 5 APRIL 2004

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Background

The State Government values and recognises the positive contribution that emergency service volunteers make to the Tasmanian community.

Purpose

The purpose of this Direction is to detail leave and related arrangements applicable to a State Service officer or employee who is a registered volunteer in a specified emergency service organisation and attends an emergency response situation during normal working hours.

Application

The Direction applies to State Service Agencies and officers and employees who are registered volunteers with the following emergency service organisations:

- Tasmania Fire Service;
- Tasmanian Ambulance Service; and
- State Emergency Service.

The Direction applies where a registered volunteer is requested to respond to an emergency situation involving volunteer assistance during normal working hours. Regular rostered activities/events or training are not included.

Legislative Basis and Related Documents

- *State Service Act 2000*
- *State Service Regulations 2001*
- *Workers Rehabilitation and Compensation Act 1988*
- *Emergency Services Act 1976*
- *Fire Service Act 1979*

Directive

Pursuant to Section 14 of the *State Service Act 2000*, I hereby direct that a Head of Agency shall grant an officer or employee in that Agency approval to be absent from duty so the officer or employee can assist with an emergency situation, providing the following conditions are met: -

- the officer or employee has informed the Head of Agency as soon as practicable regarding the requirement for the absence and its likely length;
- the officer or employee is able without undue disruption to the operational requirements of the Agency to be released to assist in responding to the emergency; and
- if required by the Head of Agency, the officer or employee can obtain from the relevant emergency organisation proof of the request for and duration of the attendance in response to the emergency situation.

A Head of Agency is not to unreasonably refuse an absence to attend an emergency situation.

Leave and other Arrangements

When an officer or employee has attended and rendered assistance as a volunteer in response to an emergency situation, the following leave and related arrangements will apply: -

- the attendance will not affect entitlements for leave accruals and related benefits;
- the attendance will not affect the fortnightly salary of the officer or employee including the payment of fortnightly salary loadings and shift allowances where the rostered shift/s would have formed part of the officer's or employee's normal hours. However, overtime not worked (including call back) will not be payable;
- an injury sustained by the officer or employee whilst attending a emergency situation will not form the basis of a claim against the agency in which the officer or employee is engaged; and

- the return to normal work duties by the officer or employee should be as soon as practicable following the completion of functions associated with the emergency situation including, where relevant, debriefing or counselling. Furthermore, the timing of the return to work should be managed consistent with appropriate health and safety considerations such as the fatigue status of the officer or employee.

Date of period of operation

Issued by authority of the Minister administering *the State Service Act 2000* pursuant to Section 14 (1).

Date: 5 April 2004

Signed

Paul Lennon MHA
Premier