

ENTITLEMENT

39. (3) A shift worker is entitled to be paid an additional payment at the appropriate rate in relation to shift work.
39. (4) The appropriate rates for additional payments are -
- (a) 15% for an afternoon or night shift;
 - (b) 30% for a night shift where that shift is worked continuously for a period of 4 weeks;
 - (c) 50% for a shift any part of which is worked between midnight Friday and midnight Saturday;
 - (d) 100% for a shift any part of which is worked between midnight Saturday and midnight Sunday; and
 - (e) 150% for a shift any part of which is worked on a public holiday.
39. (5) Where a higher additional payment is payable in relation to part of a shift the higher additional payment is payable in relation to the whole shift.
39. (6) Where under normal circumstances an employee is rostered for duty in such a way that a public holiday falls on a day that the employee is not rostered for duty the employee is entitled to be paid one day's pay at the ordinary rate for that employee in relation to that public holiday.
39. (7) An additional payment payable in relation to shift work under this By-law is not to be included when calculating overtime pay or any allowance based on salary and a shift worker who works overtime is to be paid in relation to that time in accordance with By-law 37.
39. (8) For the purposes of this By-law, where a shift commences on a day that is a public holiday and continues on to the next day which is also a public holiday the whole of the shift is to be regarded as only one shift.

By-law 40 - Payment for Saturday Duty

SATURDAY DUTY

40. (1) Except as provided in Clause (2), for all rostered time of ordinary duty performed on a Saturday, payment shall be made at the rate of 40% additional to the ordinary rate of pay.
40. (2) The provisions of this By-law shall not apply to a shift worker as defined under By-law 39.

40. (3) The period for which the additional payment prescribed by this By-law shall be paid shall be calculated to the nearest quarter of an hour of the total amount to be claimed in each fortnightly period.
40. (4) Additional payment for rostered time of ordinary duty as provided by this By-law, shall be made in respect of any such duty which an employee would have performed had they not been on approved recreation leave.

By-law 41 - Assistance with Studies

APPROVED COURSE OF STUDY

41. (1) This By-law shall apply where an accredited course of study undertaken or proposed to be undertaken by an employee is recognised by the Chief Executive Officer as relevant to the Public Sector in accordance with clause (2).
41. (2) The Chief Executive Officer may determine that a course of study is relevant to the Public Sector where the Chief Executive Officer is satisfied that -
- (a) the course of study is a short course of instruction which is relevant to the functions of the Agency;
 - (b) the course of study is a first qualification which is relevant to the Public Sector;
 - (c) the course of study is a subsequent qualification which, in the opinion of the Chief Executive Officer, would be of substantial benefit to the Agency; or
 - (d) where the course of study is a course leading to a diploma, associateship or other certificate, which is relevant to the employee's career in the Public Sector.
41. (3) An employee may apply to the Chief Executive Officer for recognition of a course of study and for assistance to undertake or continue a course of study.

STUDY LEAVE

41. (4) The Chief Executive Officer may subject to Agency requirements, approve an application with respect to an approved course of study-
- (a) as paid study leave in relation to -
 - (i) attendance at lectures, tutorials and for similar purposes so long as the time does not exceed 8 hours per week including travelling time;