

Environmental Health Officers Determination

ARRANGEMENT

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1. Definitions

For the purposes of this determination:-

'Union' means the Health Services Union of New South Wales.

'Corporation' means the Health Administration Corporation of New South Wales

'Employer' means the Health Administration Corporation of New South Wales, Health Service or Hospital.

'Environmental Health Officer' shall mean a person who possesses a degree in Applied Science (Environmental Health) or qualifications deemed by the Corporation to be equivalent. All persons employed as Health Inspectors at the date of this Determination are deemed to hold qualifications equivalent to those required for appointment as an Environmental Health Officer.

'Senior Environmental Health Officer' shall mean .an Environmental Health Officer as defined who is responsible to the Director or Deputy Director of a Public Health Unit for the administration and supervision of the Environmental Health section of the Public Health Unit.

A definition for an Environmental Health Consultant has yet to be determined. When a definition is approved appropriate advice will be issued.

'Hospital' means a public hospital as defined in section 15 of the Health Services Act, 1997.

'Public Health Organisation' means an organisation defined under chapter 2 (7) of the Health Services Act, 1997.

A Public Health Organisation is:

- (a) an area health service, or
- (b) a statutory health corporation, or
- (c) an affiliated health organisation in respect of its recognised establishments and recognised services.

'Service' means service as an Environmental Health Officer in a Public Health Organisation or service acceptable to the Corporation.

2. Salaries and Career Structure

Current salaries for Environmental Health Officers as defined herein are contained in the Health Professional and Medical Salaries (State) Award.

Consultant Allowance **\$1611 per annum**

The Corporation acknowledges the proposed role of Consultant. However, the Corporation would anticipate that only a small number of individuals would receive the Consultant's allowance at any one time based on the need as determined by the Department of Health's Chief Health Officer.

Progression

In order to progress to Year 10 of the scale an Environmental Health Officer must have:

- i) Completed 12 months service at the salary prescribed on the maximum of the scale, and
- ii) Have demonstrated to the satisfaction of the Corporation by the work performed and the results achieved, the aptitude, abilities and qualities of mind warranting such payment.

After 12 months satisfactory work performance on Year 10 the officer will progress to the Year 1 rate. Under no circumstances can Environmental Health Officers receive Year 10 or Year 11 rates unless they fulfil these criteria.

3. Conditions of Employment

Excepting the following clauses Environmental Health Officers will be subject to the provisions of the existing Public Hospital (Professional & Associated Staff) Conditions of Employment (State) Award.

4. Hours of Duty

Environmental Health Officers will work a 38 hour week/19 day month. However, existing Health Inspectors (see Department of Health Circular 90/117) will have the option of working a 35 hour week/20 day month, or a 38 hour week/19 day month upon transfer to Environmental Health Officer positions. Where existing officers are subsequently appointed to a new position they will also be required to work a 38 hour week/19 day month.

Existing officers who decide to work a 35 hour week/20 day month can at any time elect to switch to a 38 hour week/ 19 day month. Once an officer has elected to work a 38 hour week they cannot revert to a 35 hour week.

5. Telephone Allowance

Telephone rental costs will be reimbursed in accordance with current policy i.e. 100% for those employees who are required to have a telephone connected to be contactable out of normal working hours.

The costs of all business calls will be reimbursed on presentation of an appropriate claim.

6. Transferred Officers

Existing Environmental Health Officers who are required to relocate their place of residence to take up their initial appointments in a Public Health Unit shall be reimbursed relocation costs in accordance with the Crown Employees (Transferred Officers Compensation) Award notwithstanding that they are not covered by this award. However, this concession will not apply thereafter for Environmental Health Officers seeking promotional positions in another Area Health Service or Health Service.

New appointees will have no entitlement to the provisions of this Determination.

7. Travelling Compensation

In situations where an Environmental Health Officer is required to travel on official business outside normal working hours and the time spent in travel exceeds that normally incurred in travelling to and from

their place of residence, the Environmental Health Officer shall be paid for the excess travelling time at single time rates up to a maximum of eight hours per day in accordance with current policy subject to an appropriate claim being made for payment.

Meal periods of not less than one hour per meal shall be deducted from the total period in cases where a meal allowance is claimed and otherwise paid irrespective of whether or not the Environmental Health Officer chooses not to take the meal break as provided.

8. Call Out Allowance

- i) "Call out" is the period over which an Environmental Health Officer is required by the Public Health Unit to return to duty. For the purpose of this definition call out shall only apply to unrostered time periods.
- ii) Environmental Health Officers who are recalled to duty outside normal hours shall be paid a minimum of three hours at the appropriate overtime rate for each recall to duty subject to:
 - a) Where an Environmental Health Officer is recalled to duty more than once in any one day, and the second or subsequent recalls commence within the period of the preceding recall for which payment would have been made under the minimum payment provision, payment for such recalls shall be made as follows:
 - i) A minimum payment as for three hours' work at the appropriate overtime -rate shall be made- in respect of the last recall.
 - ii) Payment shall be calculated as if the Environmental Health Officer had been continuously engaged on overtime from the commencement of work on the first recall until the expiry of the period in (i) above or completion of the work -for which he had been recalled on the last occasion, whichever is the later.
 - (b) Where an Environmental Health Officer is recalled to duty more than once in any one day, and the second or subsequent recall does not commence within the period for which payment will be made under the minimum payment provision, .the minimum payment for each such recall shall be as for three hours work at the appropriate overtime rate.

An Environmental Health Officer, when recalled to work as prescribed in subclause (i) of this clause shall be paid all fares and expenses reasonably incurred in travelling to and from his place of work in accordance with Clause 45 of the Public Sector Management Act, Regulation, 1988 "Use of private motor vehicle on official business."

Where Environmental Health Officers to work as prescribed in subclause (i) of this clause the Environmental Health Officer shall have at least eight consecutive hours off duty between the work on successive days. If, on the instructions of the employer such Environmental Health Officer resumes or continues work without having had such eight consecutive hours off duty the Environmental Health Officer shall be paid at double rates until the Environmental Health Officer is released from duty for such period and the Environmental Health Officer then shall be entitled to be absent until the Environmental Health Officer has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

An Out of Hours Paging Allowance is payable to Environmental Health Officers effective, see PD2005-452.

9. **Conference Leave and Leave to Attend Inservice Seminars/Training Courses**

Environmental Health Officers granted leave by the employer to attend approved conferences and inservice seminars/training courses shall be entitled to subsistence at the prescribed rate and all conference and registration fees paid by the employer.

10. **Travelling & Subsistence Allowances**

Paid in accordance with the provisions of the Public Sector (General) Regulation, 1988, Clauses 39, 40 & 42, as varied from time to time.

11. **Superannuation**

The entitlement for current staff will be preserved indefinitely whilst continuously employed in the Area Health Service, Health Service, Public Hospital or even if staff subsequently return to employment in the Public Service without a break in employment. As with all other employees of the Corporation this would be subject to any future changes to superannuation legislation.

New employees shall, subject to meeting requirements, be entitled to join a superannuation scheme applying in an Area Health Service, Health Service or Public Hospital at the date of their employment.

12. **Sick Leave**

Existing Environmental Health Officers shall continue to accrue sick leave under Public Service conditions while they are employed in an Area Health Service or Public Hospital.

The Corporation has determined that new employees shall be entitled to sick leave provisions in accordance with the Public Hospital (Professional & Associated Staff) Conditions of Employment (State) Award.

13. **Annual Leave**

Area Health Services, Health Services and Public Hospitals have the same annual leave provisions as the Public Service, except for those Environmental Health Officers who are currently entitled to an extra week of leave for residing in the western area of the state.

Environmental Health Officers currently receiving the benefit of an extra week of leave shall maintain this entitlement whilst they work and reside in areas that attract the benefit.

Existing Environmental Health Officers not currently receiving the benefit of the additional week of leave and who subsequently obtain employment in Health Services or Public Hospitals in the Western Area of the State without a break in employment shall not be entitled to the additional leave. Such Environmental Health Officers, or new employees shall receive payment of the Isolation and Climatic Allowance prescribed by the Public Hospitals (Professional and Associated Staff) Conditions of Employment (State) Award in lieu of the additional leave.

14. **Long Service Leave**

The conditions applying in the Public Hospital system will apply to Environmental Health Officers.

15. **Return to Public Service**

Environmental Health Officers shall have the right to apply for any positions in the Public Service which are advertised in the Public Service Notices only for three (3) years from the date of transfer.

16. **Redundancy**

In accordance with general policy the Corporation will make every effort to place employees who are surplus in suitable alternative positions. In circumstances where this is not possible the Corporation applies the standard Public Service Redundancy Package.

17. **Study Leave**

In accordance with the current Public Hospital system entitlement for approved courses.

18. **Maternity Leave**

In accordance with the provisions for employees of Area Health Services, Health Services & Public Hospitals.

19. **Military Leave**

In accordance with the current Public Hospital system entitlement.

20. **Compassionate Leave**

In accordance with the provisions for employees of Area Health Services, Health Services & Public Hospitals.

21. **State Emergency Service & Civil Defence Leave**

In accordance with current entitlement for employees of Area Health Services, Health Services & Public Hospitals.

22. **Trade Union Training Courses**

In respect of other Trade Union matters the Corporation policy shall be applied on the following basis. No paid leave is provided for in the following circumstances:

- a) Conferences with Trade Unions for the purpose of preparing award claims or conducting other Trade Union business;
- b) Attendance of Trade Union meetings during working hours
- c) Attending meetings between the employees and Trade Union Representatives away from the place of employment unless the -Trade Union has requested that the employee/s be in attendance and the employees have been granted approval, conditional or otherwise; by the employer.

- d) The employees not directly involved in disciplinary or dispute matters unless prior approval, conditionally or otherwise has been given by the employer;

However, where an employee is directly involved in a disciplinary matter or a dispute and their appearance with the Unions Representative is vital to the resolution of the issue paid leave and/or travelling expenses may be made provided prior approval has been granted by the employer or the Corporation as the employer for industrial purposes.

23. **Leave Without Pay**

In accordance with the provisions for Area Health Services, Health Services and Public Hospital employees.

24. **EEO Principles**

In accordance with Government policy Area Health Services, Health Services and Public Hospitals will develop EEO Management Plans.

25. **Selection Appeals**

Transferred Environmental Health Officers will have a period of 3 years, immediately following the date of transfer to Public Health Units, during which they may apply for any Public Service position which is advertised only in the Public Service Notices. Transferred Environmental Health Officers who unsuccessfully apply for Public Service positions during the period have a preserved right of appeal to G.R.E.A.T.

The preserved right of appeal to G.R.E.A.T. does not apply in respect of positions which might be applied for in the Area Health Services Health Services and/or Public Hospitals at any time after the date of transfer.

The employee's Association or Union may take disputed appointments before the Industrial Relations Commission of NSW.