

**REGISTER OF
ENTERPRISE AGREEMENTS**

ENTERPRISE AGREEMENT NO: EA09/46

TITLE: Shelter NSW Enterprise Agreement

I.R.C. NO: IRC9/1661

DATE APPROVED/COMMENCEMENT: 6 November 2009 / 6 November 2009

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**NEW AGREEMENT OR
VARIATION:** New.

GAZETTAL REFERENCE: Published 25 December 2009

DATE TERMINATED:

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COVERAGE/DESCRIPTION OF

EMPLOYEES: The agreement applies to all employees employed by Shelter New South Wales located at Level 4, 377-383 Sussex Street, Sydney, 2000 who fall within the coverage of the Social and Community Services Employees (State) Award.

PARTIES: Shelter New South Wales Inc -&- the Australian Services Union of N.S.W.

SHELTER NSW

An Industrial Agreement between the Board of Directors of Shelter NSW and the Australian Services Union (NSW Branch)

2 October, 2009

1. Title

This Agreement will be known as the Shelter NSW Industrial Agreement.

2. Parties to the Agreement

The parties to this Agreement are the Board of Directors of Shelter NSW and the Australian Services Union (NSW Branch).

3. Purpose of the Industrial Agreement

3.1 The purpose of the Agreement is:

3.1.1 to clarify the rights and entitlements of employees and the employer, in relation to terms and conditions of employment;

- 3.1.2 to be read in addition or in lieu of the conditions contained in the Social and Community Employees (State) Award;
 - 3.1.3 to ensure those terms and conditions are fair and consistent;
 - 3.1.4 to prevent industrial disputes and provide a framework for their resolution.
- 3.2 The Executive Officer will act at all times on the basis of a delegated authority from the Board of Directors.

4. Hours of Work

4.1 Office Hours

The normal hours for the office of Shelter NSW to be open to the public will be 9.30am to 5.00 pm, Monday to Friday.

4.2 Full-time Staff

The ordinary hours of work for full-time staff, either permanent or contract, is 7 hours per day with at least a half hour for lunch, Mondays to Fridays, totaling 35 hours per week.

4.3 Part-time Staff

Part-time staff, either permanent or contract, will have their ordinary days of work and hours of work set in consultation and agreement with the Executive Officer. Part-time staff will work a minimum of two (2) hours per day and/or a maximum of 28 hours per week. Part-time staff will also have set work days negotiated with the Executive Officer. These days can be changed by negotiation between the staff member concerned and the Executive Officer.

4.4 Casual Staff

4.4.1 Casual staff will work set days of the week and set hours of the day.

- 4.4.2 Casual staff receive a loading as set out in the Social and Community Services Employees (State) Award.
- 4.4.3 Casual staff who work more than 35 hours per week are entitled to be paid overtime plus the casual loading as set out in the Social and Community Services Employees (State) Award. This means that casual staff who work overtime will also be paid overtime in line with permanent staff.

5. Rates of Pay

- 5.1 The hourly rate for full-time, part-time or casual staff shall be calculated on the basis of one thirty-fifth (1/35th) of the appropriate weekly rate as set out in Schedule 1.
- 5.2 The rates of pay for staff of Shelter NSW are set out in Schedule 1.
- 5.3 Casual employees shall receive the casual loading in line with the Social and Community Services NSW (State) Award of 23.3.%
- 5.4 The Board of Directors will review the rates in accordance with the changes to the Consumer Price Index as announced by the Commonwealth Government from time to time or at the request by the Australian Services Union (NSW Branch), and may make upward amendments of those rates on a yearly basis at the commencement of a financial year.

6. Flexible Working Hours Scheme

6.1 Overview

- 6.1.1 Subject to the convenience of the Board of Directors, all permanent and contract staff of Shelter NSW will have access to the Flexible Working Hours Scheme. Casual staff do not have

access to flexible working hours and will work their set ordinary hours.

- 6.1.2 The Executive Officer will ensure that timesheets are kept to manage the flexible working hours system. The timesheets will provide a continuous record of credit or debit flex leave hours worked by the staff.
- 6.1.3 The withdrawal of the Flexible Working Hours Scheme will not be used to discipline staff unless the Executive Officer has identified a situation where a member of staff has been unable to work within the requirements of the Scheme.
- 6.1.4 The intention of this Scheme is to allow staff to work their ordinary fortnightly hours over a nine-day fortnight and to bank the additional time worked to the maximum equivalent of one week's leave.
- 6.1.5 The Executive Officer will oversee the scheme to ensure the good function of the office while allowing staff members to take a flex day that is fair and convenient to all staff and the organisation.

6.2 Spread of Flexible working Hours

- 6.2.1 The core hours where staff must be at work are 10.00 am to 4.00 pm, Monday to Friday, lunchtime excluded.
- 6.2.2 The bandwidth of hours where staff can work is from 8.00am until 8.00pm, Monday to Friday.
- 6.2.3 Staff must take a minimum of half an hour but not more than two hours for lunch each day provided that no staff will be required to work for more than 5 hours continuously without a meal break. Where an employee is unavoidably required by circumstances to have their meal at a conference or training course with customers, that time will be paid, to a maximum of a half hour.

6.2.4 The day taken as a flex day will be negotiated between the Executive Officer and individual staff, and approved by the Executive Officer. Flex leave may be taken as a whole day or two half days.

6.3 Banking of Flex-Leave

6.3.1 Full-time staff can bank a maximum credit of 35 hours or five days. Full-time staff may also carry a debit, which cannot exceed 14 hours or two days. Pro rata credit and/or debit rates apply to part-time staff.

6.3.2 Any accumulated flex leave at the point of an employee's departure from the organisation will not be paid out.

6.3.3 Subject to the convenience of the Board of Directors, the Executive Officer may authorise the accumulation of any additional flex-leave additional to the maximum as detailed in clause 6.3.1 above, to a maximum of 14 hours.

7. **Overtime**

7.1 Overtime will only be paid when staff are directed to work outside of the flextime bandwidth (ie before 8.00 am or after 8.00 pm, Monday–Friday) by the Executive Officer, or by the Chairperson in the case of the Executive Officer.

7.2 If a member of staff works outside of the bandwidth without prior approval, the time cannot be counted as flex-time or overtime.

7.3 Staff may opt to take overtime as flex-time. The flex-time will be calculated at the overtime rate. Accrued overtime cannot be lost.

7.4 Any accumulated overtime at the point of an employee's departure from the organisation will be paid out at the employee's current rate of pay.

7.5 Overtime will be paid at the following rates;

7.5.1 Mondays – Friday: time and a half for the first two hours and double time thereafter

7.5.2 Saturdays: time and a half for the first three hours and double time thereafter.

7.5.3 Sundays: double time.

7.5.4 Public Holidays: triple time.

8. Special leave

Staff may be granted a maximum of two (2) weeks paid leave for personal reasons in each twelve months service at the discretion of the Executive Officer, or at the discretion of the Chairperson in the case of the Executive Officer.

9. New year break

Staff will be entitled to paid leave for their normal working days that fall in the period between Boxing Day and New Year's Day.

10. Long Service Leave

10.1 The basic provision of the NSW Long Service Leave Act is for two months leave, paid at the ordinary rate, after ten years service and one months leave for each additional period of five years, or part thereof, applies.

10.1 Employees will have access to their long service leave after five years service, unless they have been dismissed for serious or willful misconduct.

10.1 Long Service Leave will continue to accumulate for staff on authorized paid or unpaid maternity leave for a maximum of one year of maternity leave or it's equivalent.

11. Redundancy

All permanent and part-time staff of Shelter NSW will receive 1 week severance pay for every year of service or part thereof. Contract or casual employees will not be entitled to any redundancy provisions.

12. Mobile Phones

- 12.1 Mobile phones are provided for work use. They are only to be used for incidental low cost personal calls in circumstances where the staff member is unable to use a landline within the period in which the call must be made. Extensive personal use of Shelter NSW mobile phones is not permissible.
- 12.2 Wherever possible landlines should be used for making calls instead of mobile phones.
- 12.3 Mobile phone calls are to be kept as brief as possible. Where a lengthy call is anticipated, an appointment is to be made to make the call on a landline wherever possible.
- 12.4 If personal calls are made on mobile phones, it is the responsibility of the staff member to pay for each of those personal calls during each billing period. Payment must be made within two weeks of receipt of the account. It is the responsibility of each staff member using a Shelter NSW mobile phone to maintain accurate records of personal calls so that such reimbursement can be made.
- 12.5 The Executive Officer will monitor mobile phone usage to ensure that expenditure is maintained within budget.

13. Study Leave

- 13.1 Any staff member who enrolls in an approved study course is entitled to two hours study leave per week of semester time, which may be accumulated that year, and taken in blocks if required.
- 13.2 An approved course will be determined by the Executive Officer on the basis of the relevance of the course to the employees' job description.
- 13.3 If study leave is to be taken for less than half a day, no approval is required but at least forty-eight (48) hours' notice is to be given by the employee.
- 13.4 If study leave is to be taken for more than half a day, it must be approved for the Executive Officer by the Chairperson of the Board of Directors, and by the Executive Officer for all other staff, with consideration given to the efficient functioning of Shelter NSW.

14. Travelling Compensation

14.1 Travelling Time and Working Away from the Office

- 14.1.1 All travelling time outside of the metropolitan area of Sydney, even before or after the flex-time bandwidth, will be counted as ordinary hours and be eligible to be treated as flex-time.
- 14.1.2 All time spent working at conferences and/or meetings, preparing papers, or in negotiations during the week will be counted as ordinary hours and be eligible to be treated as flex-time.
- 14.1.3 All time spent at conferences and/or meetings on weekends will be counted as flextime and will be at the overtime rate for Saturdays and/or Sundays.

14.2 Meal Allowances

14.1 Meal allowance will be paid in advance to staff undertaking work related to travel.

14.2 Rates of meal allowance for full days away will be those of the NSW public service rates as determined from time to time.

14.3 Travel Allowance

A travel allowance will be paid for work-related travel, based on the actual arrival and departure times of the flight, bus, train or car.

14.3.1 For day of departure

Departure time	Travel Allowance
Before 8 am	\$50.00
8 am – 2 pm	\$37.60
2 pm – 8 pm	\$24.35
After 8 pm	Nil

14.3.2 For day of return rates will be:-

Arrival time	Travel Allowance
Before 6 am	Nil
6 am – 12 pm	\$12.40
12 pm – 6 pm	\$25.65
After 6 pm	\$50.00

14.3.13 These rates may be reviewed annually, and adjusted upward at the commencement of a new financial year, by the Board of Directors.

14.4 Reimbursement of travel-related costs

14.4.1 Where meals are provided and taken up during time away, employees are obliged to reduce travel allowance claimed by the appropriate amount or reimburse the appropriate amount to Shelter NSW.

14.4.2 A staff member who uses their own motor vehicle for official business with the approval of the Executive Officer, or by the Chairperson in the case of the Executive Officer, will be reimbursed mileage expenses at the rates published by the Australian Taxation Office at the time.

14.5 Accommodation

Accommodation required by Shelter staff will under normal circumstances be booked prior to travel and the cost will be approved by the Executive Officer.

15. Working from home

15.1 A formal agreement will be reached between the Executive Officer and individual staff in respect of working from home arrangements.

15.2 The Working from Home Agreement will detail:

15.2.1 the nature of the work to be performed from home;

15.2.2 the hours to be worked;

15.2.3 the equipment to be provided by Shelter NSW;

15.2.4 the equipment to be used at home that belongs to the staff;

15.2.5 the security of the Shelter property;

- 15.2.6 communication arrangements between the staff member at home and the Shelter NSW office;
 - 15.2.7 the compliance of the home office to Workcover occupational health and safety standards.
- 15.3 Staff working regularly from home are required to work a minimum of three days per week in the Shelter NSW office and to attend staff meetings.

16. Area, Incidence and Duration

This Agreement will be in force for one year from the date of signing or until another Industrial Agreement is signed.

SCHEDULE 1:

PAY SCALE FOR SHELTER NSW EMPLOYEES

Last reviewed/ updated 30 July, 2009

Executive Officer

Step 1 87,280

Step 2 89,881

Principal Policy Officer

Step 1 81,564

Step 2 83,856

Senior Policy Officer

Step 1 71,552

Step 2 73,692

Step 3 76,736

Step 4 79,203

Policy Officer

Step 1 62,962

Step 2 64,948

Step 3 67,493

Step 4 69,471

Office Administrator

Step 1 53,338

Step 2 54,994

Step 3 56,754

Step 4

58,402

We agree to abide by the Industrial Agreement.

Signed

Andrew Meehan

Shelter Board Employment Subcommittee and Chairperson

Dated: _____

Sally McManus

Secretary

Australian Services Union NSW/ ACT Services Branch

Dated: _____