

operation.

- 54.3 The employee will be entitled to payment as follows for all hours of restrictive work:
- (a) for the first rostered shift period of restrictive work – at the employee’s *base hourly rate of pay*;
 - (b) next three hours at one and a half times the employee’s *base hourly rate of pay*;
 - (c) next five hours at double the employee’s *base hourly rate of pay*;
 - (d) all remaining hours of the restrictive work are to be paid at one and a quarter times the employee’s *base hourly rate of pay*.
- 54.4 Payments for restrictive work commence when an employee is recalled to work or, if at work, for the commencement of the employee’s rostered hours of work on that day.
- 54.5 Payments for restrictive work cease when the employee, after being relieved from the restrictive work, leaves the workplace and has returned to their place of employment, residence or berth.
- 54.6 Where an employee is recalled to work after the completion of their rostered hours, entitlement to payment will commence at **sub-clause 54.3(b)**, **sub-clause 54.3(c)** or **sub-clause 54.3(d)** as appropriate.
- 54.7 Where possible, the application of this clause shall occur in a manner whereby necessary rest periods are incorporated on a daily basis.

PART 10 AVAILABILITY

55. Definitions

- 55.1 For the purpose of **Part 10**:
- (a) “available for work” means standing by in readiness for, and capable of, the resumption of work within a reasonable time (the length which may be specified including an immediate resumption) where required or directed to attend, for a period or periods prior to the next scheduled time for the resumption of work.
 - (b) “contactable” means that an *Officer* is able to be communicated with outside of their hours of work.
 - (c) “expressly directed” means a specific verbal or written direction given by an *Officer* that is superior in rank to the employee directed to be available for work, or regular rostered availability which may be rostered by a *Sub-Officer* in accordance with a direction given by an *Officer*.

56. Availability for Protective Services Officers, Constables, Senior Constables, Sergeants and Senior Sergeants

- 56.1 Payment for availability under **Part 10** is not available to an employee in receipt of a one-person station allowance, except where the employee is rostered or otherwise directed by an *Officer* to remain available for work outside of their *response zone*.
- 56.2 Employees other than Officers who are either rostered to be available for work or expressly directed to be available for work, will receive an availability allowance for each hour or part thereof during which the employee remains available for work.
- 56.3 Payment of availability allowance will be at the rates contained in **Schedule B**.
- 56.4 An employee who is eligible to receive recall payments and resumes work during a period in which they are available for work is no longer entitled to payment of an availability allowance for the period during which the employee receives the recall payment.
- 56.5 An employee who is not eligible to receive recall payments will continue to be paid the availability allowance if they are recalled to work during a period in which they are rostered to be available for work.
- 56.6 An employee who is either rostered or expressly directed to be available for work on a rest day or Christmas Day, Boxing Day, New Year's Day and Australia Day (or any substitute day) will be paid the availability (rest day/public holiday) rate contained in **Schedule B** for a minimum of 8 hours.
- 56.7 An employee who is either rostered or expressly directed to be available for work at a time other than at a time immediately following a period of rostered ordinary hours of work, will be paid the availability (rest day/public holiday) rate contained in **Schedule B**.

57. Contactability and Availability for Superintendents and Commanders

- 57.1 *Superintendents* and *Commanders* are to be contactable after hours and will be paid an annual contactability allowance in accordance with **Schedule B**.
- 57.2 A *Superintendent* or *Commander* may be liable to perform up to 10 weeks of availability per year at the direction of an Assistant Commissioner or above.
- 57.3 A privately plated vehicle for private use, which will include periods of recreation leave and accrued time off, will be provided to all Superintendents and Commanders and will offset payment for availability referred to in **sub-clause 57.2**.
- 57.4 A *Superintendent* or *Commander* will maintain either an electronic or paper-based vehicle log book for a continuous 12 week period within a five year period.
- 57.5 A vehicle supplied under this clause may be retained by the employee during periods of long service leave for a maximum of 28 days in one continuous period. Where the vehicle is retained for a period in excess of 28 days except for personal leave or parental leave, the employee will be required to make a co payment of \$188 for each additional week that the vehicle is retained.

- 57.6 No *Superintendent* or *Commander* will be required to be contactable or available for work during a period of leave.
- 57.7 A *Superintendent* or *Commander* who is directed by an Assistant Commissioner to be available for work will be paid an availability allowance in accordance with **Schedule B** for each hour that they are directed to be available for work in excess of 10 weeks per year.
- 57.8 *Superintendents* or *Commanders* who are not directed to be available for work will not be required to be available for work but must remain contactable.
- 57.9 An employee performing higher duties as a *Superintendent* or *Commander* will be provided with a private plated vehicle on the same basis as an employee appointed to the rank.
- 57.10 Where the employer is unable to satisfy the requirements of **clause 57.9**, an employee performing higher duties as a *Superintendent* or *Commander* will be paid for all availability performed at the rate in **Schedule B**.
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58. Contactability and Availability for Inspectors

- 58.1 *Inspectors* will be paid an annual contactability allowance in accordance with **Schedule B**.
- 58.2 For the purpose of this clause, Inspector includes an employee paid as an *Officer* pursuant to **clauses 185, 187, 188 and 191**.
- 58.3 Inspectors are provided with a mobile phone and access to the Victoria Police email network, and after hours contact from time to time by the employer for matters of urgency that may occur.
- 58.4 The contactability allowance is compensation for unplanned disturbance and after hours contact including any requirement to perform work at their immediate location.
- 58.5 An Inspector shall not be required to hold themselves in readiness to resume duty. Where the employer requires an Inspector to be available and capable of resuming duty the Inspector will receive the availability allowance in accordance with **clause 56.3**.
- 58.6 No Inspector will be required to be contactable during any period of leave.
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59. Right to disconnect outside of effective working hours for Protective Services Officers, Constables, Senior Constables, Sergeants and Senior Sergeants

- 59.1 Supervisors and managers must respect employees' periods of leave and rest days.
- 59.2 Other than in emergency situations or genuine welfare matters, employees must not be contacted outside of the employee's hours of work unless the employee is in receipt of an availability allowance pursuant to **clause 56**.
- 59.3 Employees are not required to read or respond to emails or phone calls outside their effective working hours.