



**New South Wales  
Police Force**

# Part Time Work for Police Officers Policy and Guidelines

**Workforce Relations and Strategy  
Human Resources Command**

## Essential Summary

This Policy and Guidelines apply to all commissioned and non commissioned police officers within NSW Police Force.

The document aims to:

- Ensure that access to part time work considers both organisational and officer needs;
- Provide a consistent and equitable approach to part time work applications; and
- Provide Commander/Managers and officers with clear information about the conditions associated with part time work.

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## Modification History

Version #	Version approval date	Author/Position	Summary of changes
1.0		Workforce Relations and Strategy	Original document.
2.0	10 October 2016	Workforce Relations and Strategy	<p>Major structural changes. Inclusion of the following Sections: Essential Summary, Introduction, Scope, Delegations, Shift Classifications, Part Time Entitlements, Transfer/Promotion.</p> <p>Rescinds and replaces the Part Time annual leave when returning from Maternity or Adoption Leave Policy.</p> <p>Changes to S5.2; S12.0; S15.1, S15.2;</p> <p>Removal of Sections 5.0 – Application and 6.0 – Assessment (now included in Flexible Work Arrangements Guide and Procedures).</p>

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# 1. Introduction

Consistent with the [NSW Police Force Corporate Plan 2012-2016](#), [Women in Policing Strategic Plan 2015-2018](#) and the [Workforce Equity and Diversity Strategic Plan](#), the NSW Police Force supports access to flexible work practices.

The option of working part time is a flexible work arrangement that may be approved for officers needing to reduce their ordinary hours to meet personal responsibilities. These may include care of children or other dependents, study, tapering work prior to retirement or managing an injury or illness.

Police positions are generally full time. However, officers may request to work part time under a part time leave without pay arrangement. Requests for permanent part time arrangements may also be considered giving regard to whether the request can be sustained indefinitely by business operations and ongoing business requirements. Requests will be considered on a case by case basis having regard to: whether the request is an entitlement i.e. parental leave or a right to request; an officer's need to balance their personal life with work commitments; the work demands of the Command/Business Unit; and operational requirements of the NSW Police Force.

Part time work is a valuable option for both management and officers. Planned and well managed part time work may contribute to better work performance, productivity and officer retention.

This document should be read in conjunction with the:

- [Flexible Work Arrangements Guidelines and Procedures](#)
- [Crown Employees \(Police Officers – 2014\) Award](#)
- [Flexible Rostering Consolidated Guidelines \(Police\)](#)
- [Preferred Shifts Section 87 Agreement No 17 of 2008.](#)

# 2. Scope

This Policy and Guidelines apply to all commissioned and non commissioned police officers within NSW Police Force.

The document aims to:

- Ensure that access to part time work considers both organisational and officer needs;
- Provide a consistent and equitable approach to part time work applications; and
- Provide Commander/Managers and officers with clear information about the conditions associated with part time work.

# 3. Definitions

**Officer** - any Non-Commissioned Officer or Commissioned Officer employed under the *Police Act 1990*.

**Part Time Work** – working hours that are less than an average of 38 hours per week either on a temporary or on-going basis. May be permanent part time or part time leave without pay.

**Part Time Leave Without Pay Arrangement** - full time officers may apply and be approved to work part time for a defined period.

Other forms of leave that can be granted without pay on a part time basis include adoption leave, maternity leave and parental leave. Refer to [Parental Leave for Police Officers Policy and Procedures](#).

**Permanent Part Time Arrangement** – an agreement is reached where officers work part time for an indefinite period. May be created and approved (see delegations) where there is an ongoing business and personal requirement or for placement of an injured officer who has reached maximum medical improvement.

A permanent part time agreement permanently changes the contract of employment from full time to part time. While the reduced weekly or fortnightly number of hours agreed to may be changed by agreement, the patterns of the hours worked, remain subject to operational requirements.

Officers employed under a permanent part time agreement may return to full time work subject to NSWPF requirements and the availability of a full time position.

## 4. Approval Process

- Part time leave without pay - may be approved by the Commander/Manager in accordance with this policy
- Permanent part time not related to officers with permanently reduced medical capacity – to be assessed by the Commander/Manager and referred to the General Manager, Workforce Relations and Strategy for approval.
- Permanent part time related to officers with permanently reduced medical capacity - is at the discretion of the Commander/Manager or Region Commander, in consultation with the Deployment Unit.

## 5. Shift Classifications

### 5.1 Non-commissioned officers

Part time officers will be classified in accordance with the equivalent full time position in the business unit. Full time classifications will apply to officers working part time including preferred shift arrangements, as follows:

"7 Day Shift Worker (Flexible Roster)" - officers who normally work from Sunday to Saturday and whose services are normally required on public holidays. (6 weeks annual leave)

"7 Day Shift Worker (Default Roster)" - officers working 8 hour shifts who normally work from Sunday to Saturday and whose services are normally required on public holidays. (6 weeks annual leave)

"5 Day Shift Worker (Flexible Roster)" - officers who normally work from Monday to Friday and whose services are not normally required on public holidays or weekends. (4 weeks annual leave)

“5 Day Shift Worker (Default Roster)” - officers working 8 hour shifts who normally work from Monday to Friday and whose services are not normally required on weekends. (6 weeks annual leave)

## 5.2 Commissioned Police Officers

Inspectors who qualify for three or more additional working days (through working Sundays and public holidays) under Sub Clause 17.5 of the [Crown Employees \(Police Officers - 2014\) Award](#) are entitled to 6 weeks annual leave. All other Commissioned Officers are entitled to five weeks annual leave.

## 5.3 Preferred Shift Worker

A [Preferred Shift worker](#) is approved to work a preferred shift (i.e. a day shift, an afternoon shift or a night shift) or part thereof on preferred days of the week. While every effort will be made to ensure that the officer is consistently rostered on their nominated days and/or shifts variations may occur when officers are required to meet operational, court or training commitments, including travel for training.

# 6. Principles

1. Part time work must support NSWPF goals and operational/business requirements in line with the *Police Act 1990* requiring the effective, efficient and economical management of resources, balanced with the requirements of legislation, including but not limited to the [Anti-Discrimination Act 1977](#) (where applicable) awards, policies and procedures.
2. All part time work arrangements should be regularly reviewed with an officer where necessary, in line with changing operational circumstances and/or officer needs.
3. All full time officers may apply to work part time leave without pay.
4. Part time leave without pay arrangements can be approved for periods not exceeding 12 months. Further periods may be approved through subsequent application. Lesser periods may be approved based on operational and individual circumstances.
5. All part time work agreements must be in writing using the approved [Flexible Work Arrangement Agreement](#) or [Permanent Part Time Work Agreement](#) forms.
6. An agreement may be varied by a further agreement in writing between the parties on the above form.
7. Officers working part time must work less than 38 hours per week when averaged over the applicable flexible roster period.

# 7. Work Patterns

While there is no definitive pattern for part time work, the primary way it will be achieved is through a lesser number of working shifts per week. Shorter hours in each shift can also be requested and considered for approval.

Irrespective of whether a lesser number of shifts or shorter hours in each shift are worked, the rostered hours of work may only be performed on a maximum of five days each week averaged over the roster period.

## 8. Requirements while Working Part Time

Officers working part time are eligible for all developmental opportunities (e.g. study assistance, relieving, special projects and training) with consideration as to location, duration and timing.

Officers remain subject to the full application of performance development and management as recorded in the Career Management System and are able to be considered for promotion and mobility.

In addition, officers remain subject to recall to duty, court and training attendance and similar matters arising from the performance of their duty.

## 9. Application, Assessment and Review of Part Time Work Arrangements

An officer may work on a part time basis if:

- a reduction in average weekly hours of duty less than the full time average weekly hours (i.e. 38 hours per week) can be accommodated; and/or
- a position has been identified as suitable for job share; and/or
- a number of shifts have been identified for part time work
- requesting a period of applicable 'Part Time Parental, Maternity or Adoption Leave'. In which case an entitlement exists to negotiate a suitable arrangement between the Commander/Manager and the officer.
- an arrangement that meets operational requirements and is suitable to both parties is negotiated and agreed.

For information regarding the application, assessment and review of Part Time Leave Without Pay applications, refer to the [Flexible Work Arrangements Guide](#) and [Flexible Work Arrangements Application, Agreement](#) and [Review](#) Forms.

Applications for Permanent Part Time Work are to be made via a report, to be assessed through the chain of command and referred to the General Manager, Workforce Relations and Strategy for approval. If approved, a [Permanent Part Time Work Agreement Form](#) is to be completed by the Commander/Manager and signed by the officer. Reviews of patterns of work apply.

There is no requirement for an officer to be placed on a permanent part time arrangement, after being on a PTLWOP arrangement for a more extended period or once a child reaches school age. At this time applications by officers seeking to work or continue to work part time leave without pay and/or

other flexible work arrangements to meet carers responsibilities, will continue to be reasonably considered by Commander/Managers.

## 10. Review of Declined Applications

A Commander/Manager has the delegation to approve part time leave without pay in accordance with this policy. All attempts should be made to resolve application issues at the local level. Commander/Managers and officers may seek the assistance of the Region Human Resource Manager or equivalent.

Where difficulty occurs in negotiating an agreement, assistance can be sought from Employee Relations or Workplace Relations and Equity Unit, Human Resources.

Where applications for part time leave without pay are not supported, an employee may utilise the usual avenues for resolution under NSWPF grievance procedures or the dispute resolution procedures contained in the award.

Where subsequent applications have been lodged in a timely fashion, during a period of review, or negotiation any existing Flexible Work Agreement remains in place, pending the final outcome.

## 11. Job Sharing Arrangements

Job sharing occurs when one position is shared by police working part time. Job sharers perform the role of one job and the workload and performance expectations should reflect this (see [Section 8.4 Flexible Work Arrangement Guide](#)).

Commander/Managers can increase the occupancy of a single authorised position up to 190% to facilitate job sharing. See [Part Time - Police Position Management Guidelines](#).

Part time officers may: job share a position and associated workloads; or job share workloads by being placed in an alternative position but not performing the position's function e.g. an officer attached to a GD's position but assisting with excess workloads in the CMU. However the total occupancy of the LAC or equivalent's authorised strength will not exceed 100%.

See [Part Time - Police Position Management Guidelines](#).

## 12. Resumption to Full Time Duty

### 12.1 Part Time Leave without Pay – Officers at work or on sick leave

For officers working part time leave without pay the return to full time duty is the 'end date' as specified in the FWA Agreement, unless a further agreement is entered into. An officer may return to full time work prior to the end date of the agreement by giving four weeks' notice of their intention to do so. Reversion to full time will occur when the officer commences full time duties or when the agreement expires whichever comes first.

For consideration of special circumstances (e.g. officers on sick leave) regarding reversion, advice should be sought from Employee Relations.

When returning to full time work prior to the end date of an agreement, a lesser period of notice may be agreed to by the officer and their Commander/Manager. Longer periods of notice may assist a Commander/Manager to make necessary arrangements for an officer's return to full time work.

For an officer requesting to revert full time before the end date of their FWA any further arrangements at the time of reversion, for preferred shifts or changes to start and finish times etc, including continued temporary placement away from the officers substantive location, will be subject to negotiation and a new FWA Agreement.

Sufficient EFT should be maintained to accommodate an officer's right to return to full time work on the end date of their agreement or prior to the end date when giving 4 weeks' notice.

Officers on part time maternity leave without pay have a right to change their full or part time arrangement once within the first 12 months of maternity or parental leave – see Section 5.1 of the [Parental Leave for Police Officers Policy and Procedures](#).

## 12.2 Request by officers on sick leave for further periods of part time leave without pay

Under the *Workplace Injury Management and Workers Compensation Act 1998*, an employee has a responsibility to actively take part in the recovery at work program.

For workers with carers responsibilities who may have been working part time under a FWA to meet their carers' responsibilities prior to their injury or illness, the responsibilities may continue or dissipate.

Should carers' responsibilities continue, these should be reflected in the current FWA and be integrated into the recover at work goal. Communication with the injured officer in this regard is essential including renegotiation where necessary of agreements that may have expired.

## 12.3 Officers working permanent part time

Officers working permanent part time may be reclassified to full time work upon application and subject to NSW Police Force requirements. Reversion to full time employment depends on the availability of a full time position.

Where an available position within the Command exists, the Commander/Manager can consider placing an officer into another vacancy having regard to necessary skills and qualifications or other requirements of the position.

The usual requirements under the Guidelines on the [Guidelines on the Transfer of NSW Police Officer \(Transfer Guidelines\)](#) will apply.

## 13. General Conditions of Service for Officers Working Part Time

### 13.1 Hours of Duty

An officer working part time is required to work the weekly hours approved under the Flexible Work Agreement.

Unless working a flexible roster, hours worked each week must be: set and regular; part of the roster; and less than 38 hours when averaged over the roster period.

Work may be performed on a maximum of five days each week averaged over the applicable roster period. Officers working part time may work full time daily hours on fewer shifts per week or shorter hours per shift. All arrangements must meet operational requirements.

The specified (average) weekly hours of an officer working part time cannot be permanently changed without agreement and a new application for part time work approved by the Commander/Manager.

The specified (average) weekly hours of an officer working part time may be temporarily varied by the consent of both parties.

Officers working permanent part time do not accrue an entitlement to either rest days or recurrent leave days.

### 13.2 Part time entitlements

#### 13.2.1 Salary, Allowances and Increments

The following entitlements will accrue/be paid on a pro rata basis for officers working part time:

13.2.1.1 **Remuneration** - The weekly pro rata salary is calculated by dividing the weekly full time salary by 38 (the number of average hours required to be worked weekly by a full time officer). The quotient should be multiplied by the number of average hours actually worked by the officer working part time.

13.2.1.2 **Shift Allowances** - Where an agreement is entered into to commence work at the usual start time applicable to police working the normal full time roster in that location, but shorter hours per shift are worked, the relevant shift allowance is to be paid on a pro rata basis for the number of hours worked.

Where an officer has elected to work shorter hours per shift commencing duty part way through the standard full time shift, penalties will be paid where the standard full time roster determines a penalty should be paid. For example an officer working part time commences at 12 noon and the full time roster for that duty type commences at 8 am, there is no entitlement to a pro rata afternoon shift allowance. Should an officer working part time be directed to commence duties part way through the standard full time shift pro rata shift penalty is payable.

- 13.2.1.3 **Preferred Shift Worker Agreement** - Officers who enter into an agreement as a Preferred Shift Worker working a shift arrangement, that is not consistent with usual rostering arrangements for the duty performed, are not entitled to the payment of applicable shift allowances.

Officers working part time classified as Preferred Shift Workers who request to work a permanent "B" shift arrangement, are not entitled to the payment of the excess "B" shift penalty, unless directed to perform B shifts by the Employer that are in excess of the Preferred Shift Worker Agreement.

- 13.2.1.4 **Allowances** - Expense related allowances are paid at a full time rate e.g. meal and travelling allowances. Officers will receive plain clothes allowance when required to perform duties in plain clothes.
- 13.2.1.5 **Increments** - Will be paid on the normal incremental date, subject to mandatory competency and performance requirements being met.

## 13.2.2 Leave

- 13.2.2.1 **Annual Leave** – When transitioning to part time work, full time annual leave accruals should be managed in accordance with 15.1 prior to commencing a part time arrangement.

Except as provided at 15.1 annual leave for officers working part time accrues on a pro rata basis and is to be debited in accordance with the ordinary hours the officer would have been rostered to work had they not been on leave.

- 13.2.2.2 **Additional Annual Leave** – will accrue in accordance with the annual leave clause in the [Crown Employees \(Police Officers – 2014\) Award](#) based on the number of part time shifts of agreed length worked on Sundays and/or Public Holidays during the qualifying period.
- 13.2.2.3 **Sick Leave** – Sick leave entitlement accrues on a pro rata basis and when used, is debited to the value of the ordinary hours that the officer would have worked during the period of absence.
- 13.2.2.4 **Family and Community Service Leave** - FACS leave shall be accrued on a pro rata basis subject to the usual conditions.
- 13.2.2.5 **Extended Leave** – officers are entitled to extended leave on the same basis as full time officers, but the leave accrues and is paid pro rata. The eligibility period for extended leave accrues in the same way i.e. after 7 years service a pro rata entitlement exists.
- 13.2.2.6 **Special Leave** - may be granted subject to the usual conditions and paid at the part time rate.
- 13.2.2.7 **Military Leave** –may be granted subject to the usual conditions and paid at the part time rate.
- 13.2.2.8 **Study Assistance** – A pro rata allocation of study time may be granted.

13.2.2.9 **Additional (Gazetted) Public Holidays** – An officer's pro rata entitlement will be calculated dividing the average weekly part time hours by 38 and multiply by 7.6 hours.

### 13.3 Overtime

These provisions do not apply to Commissioned Police Officers (refer to the [Management of Time Commissioned Police Officers Policy](#)) except where additional hours are specified in a FWA Agreement.

Officers working part time are entitled to payment of overtime for any hours worked that would be payable as overtime for a full time officer as follows:

- 1) Where an officer works in excess of the hours of the standard shift length of police working the normal full time roster in that location.

For example, if an officer works 6 hours per shift and the local applicable flexible roster provided for full time shifts of 12 hours, overtime would only apply for time worked in excess of 12 hours on any shift. Alternatively, if an officer is working two full shifts per week, overtime rates would apply for all time worked in excess of 12 hours on each of those shifts; or

- 2) If an officer has worked more than an average of 38 hours per week over a roster cycle, for example, through the use of additional hours.
- 3) If an officer working part time is required to work on a rostered rest or recurrent leave day and is not notified of this change of rostered duty at least 24 hours prior, the officer will be paid the overtime rate specified in the [Crown Employees \(Police Officers – 2014\) Award](#).

Commander/Managers may approve part time officer requests to work RTA funded and User Pays overtime. For user charges duties refer to [Cost Recovery and User Charges Policy](#).

### 13.4 Additional Hours

Additional hours apply where overtime is not payable under 13.3 and hours additional to the FWA Agreement are worked. Additional hours can be a mutually beneficial arrangement between an employee and the NSWPF, subject to agreement between the Commander/Manager and the employee. This type of arrangement should be included in initial FWA discussions and documented in the FWA Agreement. Additional hours can be open to ongoing review, as both organisational needs and individual circumstances change. Additional hours are paid at the ordinary rate applicable (not overtime rates) plus 1/12th loading to compensate for annual leave.

For example, when an officer working part time works full time daily shifts on fewer shifts per week and performs additional duty on a day which is normally not worked, that officer will be paid at the ordinary rate, plus a loading of 1/12th up to the maximum hours normally worked for shifts at that location (i.e. 'additional hours').

Officers working part time leave without pay or permanent part time who are required to work a shift on a LWOP day or non work day (respectively) and are not notified of the additional rostered duty or change of shift at least 24 hours prior to the commencement of that shift, will be paid additional hours, plus 1/12<sup>th</sup> loading. This applies unless, as outlined at 13.3 (2), the officer has worked an average of

38 hours per week over a roster cycle in which case they would be paid overtime rates. The 1/12<sup>th</sup> loading will not apply for that day.

### 13.5 Recall to Duty

Non commissioned officers recalled to duty are entitled to overtime payment in accordance with Clause 52 'Recall to Duty' of the [Crown Employees \(Police Officers – 2014\) Award](#).

This provision does not apply to Commissioned Officers.

### 13.6 Court Attendance

Officers working under part time arrangements, including those in job share arrangements, must be prepared to change the days of the week or hours on which work is performed in order to meet court attendance requirements.

Protracted court matters (i.e. one which extends beyond the specified (average) weekly hours of the part time officer) will require the hours of duty of a part time officer to be temporarily varied in order to comply with the court commitment.

Where an officer is required to attend court on a day additional to their specified (average) weekly hours, that officer will be paid at the ordinary rate plus a loading of 1/12<sup>th</sup> for time spent in attendance (i.e. 'additional hours'). Except as at 13.3 (2) where an officer has worked an average of 38 hours per week over a roster cycle, in which case the officer would be paid overtime rates. If the officer elects to change a rostered shift to meet this need, they will be paid the normal daily rate. The 1/12<sup>th</sup> loading will not apply for that day.

An officer shall be given at least 24 hours notice of court attendance on a non work day if practicable.

Where less than 24 hours notice is given, a part time officer may elect to:

- be paid a minimum of 8 hours salary at the ordinary rate applicable, plus a loading of 1/12<sup>th</sup> of that additional salary; or
- to take the equivalent time off in lieu of payment on an hour for hour basis and be paid the 1/12<sup>th</sup> loading of that additional salary.

Notice requirements for rest and RLD's are in accordance with Clause 48.7 of the [Crown Employees \(Police Officers – 2014\) Award](#).

Commander/Managers should attempt to meet the personal needs of the officer. Court officers should be advised on the fact sheet of unavailable dates where officers work part time.

### 13.7 Training

The hours of duty may be varied by agreement for the purpose of attending in service training courses conducted in excess of agreed hours. Additional hours worked to complete the training course will be paid at the ordinary rate of pay plus a loading of 1/12<sup>th</sup> in lieu of annual leave (i.e. 'additional hours'). Except as at 13.3 (2) where an officer has worked an average of 38 hours per week over a roster cycle, the officer would be paid the applicable overtime rates.

Officers are eligible for all developmental opportunities e.g. study assistance, relieving, special projects and training, with appropriate consideration as to location, duration and timing. Commander/Managers should attempt to meet the personal needs of the officer.

## 13.8 Transfer/Promotion

Refer to [Section 11 of the Flexible Work Arrangements Guide](#).

## 14. Rostering Requirements

Officers will be rostered as per their roster classification (Refer to [Section 5 Shift Classifications](#)) or as agreed in the case of Preferred Shift Workers.

Under the [Flexible Rostering Consolidated Guidelines](#) the roster of a part time leave without pay officer is to reflect the rostered shift, rest day, RLD and LWOP.

### 14.1 Effect of Public Holidays

Rostering on public holidays for an officer working part time will be in accordance with the shift classification of the equivalent full time position in the business unit as follows:

#### 14.1.1 7 Day Shift Worker (Flexible and Default Roster)

A public holiday during a roster period has no effect on 7 day shift workers. These days will continue to be rostered as either duty, rest or recurrent leave or LWOP (or non work day in the case of a permanent part time officer).

#### 14.1.2 5 Day Shift Worker (Flexible Roster)

A public holiday on either a Saturday or a Sunday will have no effect. These days will (unless required for duty) be rostered as a rest day.

Public holidays that occur on a weekday will be rostered "free of duty" if normally rostered on that day or LWOP or RLD if not rostered (or non work day in the case of a permanent part time officer).

"Free of duty" will count as a normal flexible shift worked for the purpose of totalling the hours worked for the flexible roster period.

A public holiday, during a period of annual leave, which occurs on a Saturday or Sunday shall have no effect. During a weekday will (if not required for duty) be granted "free of duty" and will not be debited against the officers annual leave entitlements.

#### 14.1.3 5 Day Shift Worker (Default Roster)

A public holiday on either a Saturday or a Sunday will have no effect. Such days will (unless required for duty) be rostered as a rest day.

Unless required for duty a public holiday on a weekday that falls on an officers work day, will require a mutually agreeable option to be accommodated i.e. the officer takes annual leave; rostered as a rest/recurrent leave day (or non work day in the case of a permanent part time officer) and work a shift on an alternate day or LWOP.

#### 14.1.4 Preferred Shift workers

Public holidays will be administered as above, in accordance with the equivalent full time position in the business unit i.e. 7 day shift worker (Flexible Roster), 5 day shift worker (Flexible Roster) or 5 day shift worker (Default Roster).

## 15. Leave Conditions

### 15.1 Annual Leave

Annual leave for an officer working part time will accrue on a pro rata basis in accordance with the shift classification of the equivalent full time position at the business unit.

Prior to commencing the part time arrangement, annual leave is converted to a pro rata of the full time maximum accrual (342 hours) (see example below). Any annual leave accrued in excess of the part time maximum entitlement must:

1. be taken in full (at the full time rate) before proceeding on part time work; or
2. if not taken before proceeding on part time work, any balance must be taken in one continuous period only, by reversion to full time work during the period of part time work; or
3. alternatively an officer may request to defer the taking of full time annual leave until they resume full time work, or until their part time hours stabilise up to 12 months after returning from maternity leave. If accrual of leave in excess of the part time maximum is approved the Commander/Manager will enter into a written agreement with the officer stating the manner and time at which the excess leave will be taken.

For example, a Non Commissioned Officer has approval to commence a part time leave without pay arrangement working 24 hours per week. The officer currently has 290 hours of full time annual leave.

In order to work out the maximum entitlement to part time annual leave, the following calculation is to be used:

Part time hours / full time hours x full time maximum accrual of annual leave

$$24 / 38 \times 342 = 216 \text{ hours.}$$

In this example, the officer would have 216 hours of annual leave that is able to be taken at the part time rate (i.e. 24 hours per week). The remaining 54 hours of annual leave are to be taken in accordance with 15.1 above.

Upon commencing the part time arrangement the part time officer will manage their leave to ensure there is no projected accrual of leave above the part time maximum entitlement i.e. in this example 216 hours (refer to Section 15.2).

### 15.2 Excess Annual Leave

Pro rata excess annual leave is calculated for officers working part time arrangements as follows:

A full time officer working an average of 38 hours per week reaches excess annual leave limits at 9 weeks or 342 hours (38 hours x 9 = 342 hours)

A part time officer working 25 hours per week reaches excess annual leave limits at 9 weeks or 225 hours (25hours x 9 = 225 hours).

$$25/38 \times 342 = 225 \text{ hours}$$

It is at this point the procedures for managing excess annual leave should commence, not at the full time limit - except in the case of an agreement to conserve leave referred to in 15.1 above.

### 15.3 Maternity, Adoption and Parental Leave

Refer to [Parental Leave for Police Officers Policy and Procedures](#).

## 16. Part time annual leave when returning from Maternity or Adoption leave

Officers who enter into a FWA Agreement for their return to work from maternity leave may negotiate with their Commander/Manager to take a period of annual leave at the same number of hours applicable to the part time arrangement. The period of part time annual leave will be taken immediately prior to the officer's return to work. The maximum annual leave available for approval will be a pro rata entitlement of the maximum full time accrual in accordance with Section 15.1 of this policy.

A formal application for part time work must be made on the FWA Application Form, at least 4 weeks prior to the requested part time annual leave commencement date. Once an agreement has been reached the FWA Agreement must be completed by the Commander/Manager and signed by both parties.

When an employee enters into a FWA Agreement following maternity or adoption leave and then commences the arrangement on annual leave, the period of annual leave is counted as part of their part time maternity or adoption leave entitlement. This is because when the officer commences part time annual leave they are accessing part time maternity, parental or adoption leave without pay.

An officer can request to change their part time work agreement before commencing work where there are extenuating circumstances relating to the officer's return to work. If an officer needs to change their arrangement they must give their Commander/Manager at least 4 weeks notice. Changes will need to be negotiated with the Commander/Manager. Where changes are made a new application and FWA Agreement must be completed by the Commander/Manager and signed by both parties.

Other than outlined above annual leave on maternity leave is to be taken at the rate of pay that paid maternity leave was granted i.e. full time payment or part time payment.

## 17. Superannuation

The effect of part time leave without pay and permanent part time work on contributions to various superannuation schemes and on the final benefit payable under the schemes will depend on the circumstances of the individual and the arrangements that apply to the particular fund.

When making application for part time work, officers should make independent enquiries with the appropriate superannuation fund regarding the impact the part time work arrangement may have on their contributions and/or entitlements.

## 18. References

- [Flexible Work Arrangements Guidelines and Procedures](#)
- [Flexible Rostering Consolidated Guidelines \(Police\)](#)
- [Parental Leave for Police Officers Policy and Procedures](#)
- [Part Time - Police Position Management Guidelines](#)
- [Secondary Employment Policy](#)
- [Guidelines on the Transfer of NSW Police Officers \(Transfer Guidelines\)](#)
- [Crown Employees \(Police Officers – 2014\) Award](#)
- [Preferred Shifts Section 87 Agreement No 17 of 2008](#)

## 19. Further Information

Employee Relations: E/N 29508 PH 8835 9508 Email #IRB

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