



OFFICIAL: Sensitive

GENERAL ORDER 8420 HUMAN RESOURCE MANAGEMENT

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Enquiries to	Human Resource Management Branch, Telephone 732 23246
Corporate Policy Sponsor	Assistant Commissioner, Human Resources Service

General Orders provide an employee with instructions to ensure organisational standards are maintained consistent with SAPOL's vision. To this end, General Orders are issued to assist an employee to effectively and efficiently perform their duties. It is important that an employee constantly bears in mind that the extent of their compliance with General Orders may have legal consequences.

Most orders, as is indicated by the form in which they are expressed, are mandatory and must be followed. However, not all situations encountered by an employee can be managed without some form of guidance and so some of these orders are prepared as guidelines, which should be applied using reason. An appendix to a General Order will be regarded as part of the General Order to which it relates. At all times an employee is expected to act ethically and with integrity and to be in a position to explain their actions. Deviation from these orders without justification may attract disciplinary action.

To ensure best practice an employee should be conversant with the contents of General Orders.

The contents of General Orders must not be divulged to any person not officially connected with SAPOL. Requests for General Orders will be managed as follows:

- Civil subpoena and disclosure requests—contact the Information Release Unit.
- Criminal subpoena and disclosure requests—contact the Prosecution Support Unit.
- Freedom of information requests—contact the Freedom of Information Unit.
- Any other requests (including requests by employees)—refer to instructions provided within General Order, **Corporate policy framework, 5. GENERAL ORDER REQUESTS/RELEASE.**

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1. GENERAL ORDER STATEMENT

SAPOL is committed to an 'If Not – Why Not' approach to flexible work. SAPOL's starting position is a presumption that all roles can be undertaken more flexibly. Flexible working arrangements (FWAs) are designed to balance the vision of SAPOL and individual employees with all requests for flexible work given genuine, positive and reasonable consideration in the context of the business, operational and service delivery needs of the organisation.

Part-time employment is an arrangement where an employee works less hours than the full-time equivalent and the hours worked are generally fixed and constant.

This General Order is to be read in conjunction with General Order 8420, **Human resource management, Flexible working arrangements, Flexible working arrangements**.

Scope

This General Order applies to all *Police Act 1998* employees of SAPOL (which does not include cadets). However the provisions of the Police Officers Award referred to further in this General Order do not apply to officers of police.

Limitations

Requests to work part-time are governed by policy and the Police Officers Award.

An employee must have at least 12 months continuous service as a member of SAPOL prior to requesting part-time employment.

Commentary

Part-time employment may be for a fixed or indefinite period of not less than one calendar month duration. A written agreement must be obtained before a part-time arrangement is commenced and must have regard to the personal circumstances of the member and SAPOL's operating requirements, availability of a suitable part-time position and implications for the affected work area.

Employee and manager considerations

Although an employee is not required to provide a reason for their request for part-time employment, upon receipt of a request managers will have regard to personal criteria where the employee:

- wishes to combine work with family responsibilities such as caring for a child who is of school age or younger
- is a carer (within the meaning of the *Carer Recognition Act 2010*)
- has a medical reason or disability (including employees undergoing rehabilitation)
- is 55 years or older
- preparing for retirement
- is undertaking study

- is experiencing violence from a member of their family
- provides care or support to a member of their immediate family or household who requires care or support because they are experiencing violence from the member's family.

Managers must also have regard to other criteria, including:

- the department's operating requirements
- the length of time the employee wishes to work part-time
- whether a suitable position is available
- the implementation of the department's equal employment opportunity program
- the implications for the work of the area, including the need for essential and priority duties to be carried out during an employee's period of part-time employment and any requirement for re-arranging staff or employing additional staff to ensure the required work is carried out.

Additional information is also available in the *Fair Work Act 2009* and the Police Officers Award, Part 3—Employer and employee's duties employment relationship and related arrangements, Clause 3.1 Part-time employment (refer to **5. REFERENCES** further in this General Order).

2. EMPLOYEE PART-TIME DEFINITIONS

An employee works part time when they work a reduced number of hours, that is less than the full-time equivalent.

A part-time employee works a minimum of 16 hours, but less than 38 hours a week on a regular basis.

One full-time position may be shared between a maximum of three employees working part-time, provided the total full-time equivalent does not exceed 1.2 full-time equivalent.

The hours of work for a part-time employee are:

- day worker—a employee who works a minimum of 16 hours but less than 38 hours in any one week on a fixed and constant basis
- shift worker—a employee who works a minimum of 64 hours but less than 152 hours in any four week period according to an approved shift roster.

Refer to the Police Officers Award, Part 3—Employer and employee's duties employment relationship and related arrangements, Clause 3.1 part-time employment (refer to **5. REFERENCES** further in this General Order).

3. CONDITIONS

The following conditions apply to part-time employment:

- part-time employment is not to be used to change the nature of a position, for instance, from shift work to day work—where the full range of shifts are a normal requirement of the position they are to continue and the employee must be prepared to be rostered for all shifts required of the position

- part-time employment should be designed so that the workload is proportionate to the number of hours worked and the job offers varied opportunities and skill development
- before transferring and commencing in another position the employee must negotiate a new part-time agreement
- an employee who works part-time should be considered on an equitable basis for opportunities to relieve in higher duties, and by mutual agreement, either undertake the higher duties on a full-time or part-time basis
- an employee who works part-time should be informed of any opportunity for a voluntary increase in hours
- all parties to a job share arrangement must meet the requirements of the position as described in the position information document
- managers must ensure communication procedures are in place so that part-time employees are aware of developments that occur during periods of absence
- in job share arrangements consideration is to be given to communication between the employees sharing the position, the manager and other employees to ensure the duties of the position are performed effectively and the employees sharing the position are kept informed about work issues
- where a position is shared by employees who are working part-time the end date of their agreements should coincide where possible
- part-time agreements can be agreed and implemented from commencement for a minimum of 12 months, unless a shorter period is requested by the employee and agreed—a part-time agreement will not be shorter than one month in duration.

Allowances

Allowances provided for in accordance with the Police Officers Award are applied to a part-time employee on a pro-rata basis.

Country housing

Part-time employment does not affect an employee's eligibility for government employee housing. An employee who is supplied or may be supplied with government employee housing will be required to pay/continue to pay the rent allocated for that house, less any subsidy, while working part-time hours. Where an employee is working part-time hours, rental payments will not be reduced in accordance with the reduced number of hours the employee works. Managers should ensure part-time employees are fully informed of their obligations to continue to pay the rent allocated for the house they are occupying.

Refer to General Order 8420, **Human resource management, General HR management, Country housing.**

Country incentives for hard to fill rural and remote postings

Advice should be sought from the Industrial Relations Branch in relation to how entitlements would apply to part-time employment in a declared hard to fill vacancy attracting either a level 1, 2 or 3 incentive. Refer to the *South Australia Police Enterprise Agreement 2016* and General Order 8420, **Human resource management, Employee movement and deployment, Country incentives—hard to fill rural and remote postings**.

Education assistance

The same conditions and benefits apply (irrespective of whether the employee works part-time or full-time) for educational assistance except for the extent of paid study leave, which is calculated on a pro-rata basis.

Refer to General Order 8420, **Human resource management, Learning and development, Education assistance**.

Higher duties

A part-time employee shall be eligible for the payment of higher duties provided the usual rostered hours of the position carrying the higher rate of pay are performed for five working days or 38 hours or more. One or more employees may perform the usual rostered hours of the position carrying the higher rate of pay.

Refer to the Police Officers Award, **Part 4 – Wages and related matters, Clause 4.13 extended duties allowance and Clause 4.15 Mixed functions** (refer to **5. REFERENCES** further in this General Order).

Increments

A part-time employee shall be entitled to annual increments of pay as applies to a full-time employee. A period of part-time service is to be considered as equivalent to the same period of full-time service for the purposes of determining future increments within a remuneration level or when an employee is appointed to another position.

Long service leave

Employees have the following options as the basis for payment of salary and allowances during long service leave.

Option 1 pro-rata salary

A part-time employee has the same number of calendar days of long service leave as an employee with no part-time service, based on the length of service. However, the number of paid working hours available for payment during the period of leave is adjusted on a pro-rata basis.

An employee may nominate a number of working hours per week to be paid during the leave, up to and including the number normally worked by a full-time employee. Common alternatives include nominating the average hours worked by the employee over their service or current working hours.

An employee nominating this option should note that although they are entitled to the same number of calendar days as a full-time employee, they only have available a specific number of working hours to be paid during that leave.

Option 2 pro-rata calendar days

Under this option the number of calendar days of long service leave is calculated on a pro-rata basis in accordance with the relationship between hours worked and full-time hours over the period of effective service.

Payment for and taking long service leave in calendar days is on the same basis as if the employee was a full-time employee during the period of leave.

Further enquiries should be directed to Industrial Relations Branch.

Refer to General Order 8420, **Human resource management, Leave, Leave.**

Overtime

A part-time employee is not entitled to payment at overtime rates unless the part-time daily hours exceed the ordinary hours on which a full-time employee is engaged. The additional hours worked, other than overtime, will be paid at the ordinary hourly rate. Where overtime is worked, a part-time employee may elect to take that overtime as time-off in lieu.

For further information the following are available through the intranet:

- South Australia Police Enterprise Agreement 2016
- Police Officers Award, **Part 3 – Employer and employee’s duties employment relationship and related arrangements, Clause 3.1 Part-time employment**
- Police Officers Award, **Part 5 – Hours of work, breaks, overtime, shift work, weekend work and public holiday work, Clause 5.2 Overtime.**

Refer to **5. REFERENCES** further in this General Order.

Parental leave/maternity leave

A part-time employee has the same entitlement to parental leave and maternity leave as a full-time employee, but is paid on a pro-rata basis according to the average number of contracted hours during the immediately preceding 12 months (disregarding any period of leave).

Refer to General Order 8420, **Human resource management, Leave, Parental leave.**

Police Association of South Australia contributions

An employee of the Police Association of South Australia (PASA) is responsible for advising PASA when they commence part-time employment, alter their full-time equivalent for any length of time or return to full-time hours.

Probation, tenure and the attainment of job specific accountabilities

A period of part-time service shall be considered equivalent to the same period of full-time service for part-time employees who are subject to probation, tenure and the attainment of job specific accountabilities. Therefore a set period for probation, tenure or the attainment of job specific accountabilities is not automatically extended as a result of an employee's reduced hours.

Programmed days off

A part-time employee is not entitled to programmed days off (PDOs). When a part-time employee works full-time for a period of time (for example relieving) they are not entitled to take PDOs but are compensated by being paid a higher daily rate.

Refer to the Police Officers Award, Part 5—Hours of work, breaks, overtime, shift work, weekend work and public holiday work, Clause 5.1 Hours of work (refer to **5. REFERENCES** further in this General Order).

Purchased leave

A part-time employee is eligible to apply for purchased leave—refer to General Order 8420, **Human resource management, Flexible working arrangements, Purchased leave**.

Rate of pay

The salary payable to a part-time employee is the full-time rate adjusted in proportion to the actual ordinary hours worked.

Recreation leave

An employee who works part-time will have the same recreation leave entitlements as a full-time employee; however, the leave will be calculated on a pro-rata basis according to the normal working hours a part-time employee works per week. Shift workers will receive leave loading that is commensurate with their status as a shift worker. Employees are to record their recreation leave on the days that they would otherwise have been rostered to work.

Refer to the Police Officers Award, **Part 3 – Employer and employee's duties employment relationship and related arrangements, Clause 3.1 Part-time employment** (refer to **5. REFERENCES** further in this General Order).

Rostering

Rosters for a part-time employee are to be negotiated between the individual employee and their manager. Unless business, operational and service delivery needs of the specific workgroup are required, rostered days off should be avoided on Mondays where possible, to avoid incurring public holiday rates.

Secondary employment

The same provisions for secondary employment apply to a part-time employee as for a full-time employee. An employee is required to obtain approval to undertake secondary employment prior to commencing any form of employment outside of SAPOL, either working for another person, organisation or for themselves.

Refer to General Order 8420, **Human resource management, General HR management, Secondary employment.**

Shift work, weekends and public holidays

A part-time employee who works shift work or works on a Saturday, Sunday or public holiday shall be entitled to all equivalent penalties as would apply to a full-time employee, on a pro-rata basis for the hours worked.

Sick leave

An employee who works part-time will have the same sick leave entitlements as a full-time employee; however, the leave will be calculated on a pro-rata basis according to the normal working hours a part-time employee works per week.

Sick leave is to be calculated, taken and recorded in working hours. The hours recorded as sick leave are those on which the employee would have worked had they not been absent due to sickness.

Refer to the Police Officers Award, Part 3—Employer and employee's duties employment relationship and related arrangements, Clause 3.1 Part-time employment (refer to **5. REFERENCES** further in this General Order).

Special leave with pay

A part-time employee is entitled to special leave with pay, calculated on a pro-rata basis. When an employee takes special leave with pay the hours to be recorded as leave are those hours which the employee would have worked if they had not been absent.

Refer to General Order 8420, **Human resource management, Leave, Leave.**

Special leave without pay

Special leave without pay is available on the same basis as for full-time employees. When an employee takes special leave without pay, the hours to be recorded as leave are those hours which the employee would have worked if they had not been absent.

Refer to General Order 8420, **Human resource management, Flexible working arrangements, Special leave without pay (Police).**

Superannuation

An employee contemplating converting to part-time employment is advised to contact their superannuation fund regarding the impact that part-time employment may have on their superannuation contribution/benefit.

Training

A part-time employee is entitled to equitable access to training and development. They must attend compulsory training courses and be given the same opportunity as a full-time employee to attend other training courses. It is incumbent on a part-time employee to ensure their knowledge and skills are maintained.

Refer to **3. CONDITIONS, Overtime** previous in this General Order for instructions on managing working hours when attending a course which involves working days/hours beyond the normal part-time hours.

Variation of part-time agreements

Part-time agreements and associated approved working arrangements can be temporarily varied as follows:

- by mutual agreement to meet specific organisational requirements on individual occasions
- when less than 24 hours notice is given of the proposed change, the overtime provisions referred to in the Police Officers Award, Part 5—Hours of work, breaks, overtime, shift work, weekend work and public holiday work, Clause 5.2 Overtime apply (refer to **5. REFERENCES** further in this General Order)
- where 24 hours or more notice is given, part-time employees shall not be entitled to overtime unless their daily hours worked exceeds the ordinary hours which full-time employees are engaged in; any additional hours worked, other than overtime, will be paid at the ordinary hourly rate
- when mutual agreement to the variation in hours does not occur, the overtime provisions of the Police Officers Award, Part 5—Hours of work, breaks, overtime, shift work, weekend work and public holiday work, Clause 5.2 Overtime apply.

A part-time employee's regular part-time hours and days of work may be altered at any time by mutual agreement to meet specific organisational requirements. There is no need to wait for the expiration of an agreement for this to occur.

Except in exceptional circumstances any variation to a part-time agreement must arrive at Human Resource Management Branch (HRMB) no less than 21 calendar days prior to the changes required except in exceptional circumstances, and after consultation with the Flexible Working Team.

An employee working under a part-time arrangement reverts to full-time at the expiration of the arrangement unless the arrangement is replaced with a new approved part-time agreement.

Conditions of service for part-time employees are the same as those for full-time employees, but on a pro-rata basis and in proportion to hours normally worked.

Additional information is available in the Police Officers Award, Part 3—Employer and employee's duties employment relationship and related arrangements, Clause 3.1 Part-time employment (refer to **5. REFERENCES** further in this General Order).

Further advice can be sought from the Flexible Work Team or the Industrial Relations Branch.

4. REQUEST AND APPROVAL PROCESS

Employees

An employee who has not less than 12 months continuous service since appointment as an employee of SAPOL may request to work part-time.

An employee wishing to request part-time employment needs to submit an Online Flexible working request form, available through the intranet at <police connect home page/services/human resources service/human resource management branch/flexible working arrangements>.

This form is processed by the Flexible Work Team (HRMB) who will create a PCO file (if one is not already in existence). The Flexible Work Team will return the PCO file, with any additional information if required, to the employee's manager for negotiation of a flexible work agreement.

Once an agreement is negotiated a **PD410 Application for Part-time Employment (sworn)** is completed, attached to the PCO file and returned to the Flexible Work Team.

For further information regarding the application process refer to General Order 8420, **Human resource management, Flexible working arrangements, Flexible working arrangements**.

Probationary constable

A probationary constable is not eligible to request part-time employment until the completion of 12 months continuous service from appointment at graduation.

Where a probationary constable with at least 12 months continuous service requests part-time employment, the request should not be approved unless:

- they have completed all requirements of probationary assessment
- Officer in Charge, Human Resource Development Branch makes recommendation after consulting with the Recruit and Probationary Constable Coordinator, prior to submission to the area/branch manager.

Where an employee who requests to work part-time is under probation pursuant to section 27 of the *Police Act 1998* the manager should, before recommending the request, be satisfied that the requirements for probation can be met within the statutory time frame (refer to **3. CONDITIONS** in this General Order).

A former police employee who is re-employed in accordance with General Order 8420, **Human resource management, Recruitment, Recruitment of Police Act and Protective Security Act employees** and who has not less than 12 months previous service, may request to work on a part-time basis provided that all required training is completed and that any probationary requirement can be met within the stipulated time frame.

Registration of interest to work part-time

The Flexible Work Team, HRMB will keep a register of employees who have an interest in working part-time and employees already working part-time who wish to transfer to another location and continue to work part-time.

Employees must submit a **PD65 Application for a lateral transfer** to register their interest with the Flexible Work Team, HRMB who will ensure General Order 8420, **Human resource management, Employee movement and deployment, Lateral transfer** is complied with.

Reversion to full-time employment

Employee

An employee who works part-time and wishes to revert to full-time employment must apply in writing to their manager to revert to full-time employment in their substantive position or some other full-time position.

Manager

On receiving an application to revert to full-time employment the manager will:

- consider the application in accordance with General Orders and procedures; and
- consult with the employee and the Flexible Work Team, HRMB when reversion to full-time employment in an employee's substantive position is not possible.

Extension of part-time agreements

The Flexible Work Team, HRMB will send out existing part-time agreements for review six weeks prior to their expiration and they must be returned to the unit at least three weeks prior to the current agreement expiring. Approval for extension of an existing part-time agreement must be given full consideration, and a new agreement implemented before expiry of an existing agreement.

Grievance process

Grievances in relation to an request are dealt with in accordance with General Order 8420, **Human resource management, Administrative grievance management, Grievance management—administrative decision (Police Act 1998)**.

All steps should be taken at the local level in an effort to achieve early resolution and to avoid matters escalating into formal grievances.

5. REFERENCES

General Order 8420, **Human resource management, Employee movement and deployment, Country incentives—hard to fill rural and remote postings**

General Order 8420, **Human resource management, Employee movement and deployment, Lateral transfer**

General Order 8420, **Human resource management, Employee movement and deployment, Redeployment**

General Order 8420, **Human resource management, Employee movement and deployment, Tenure of service**

General Order 8420, Human resource management, General HR management,
Country housing

General Order 8420, Human resource management, General HR management,
Establishment management

General Order 8420, Human resource management, General HR management,
Secondary employment

General Order 8420, Human resource management, Grievance management,
**Administrative grievance management, Grievance management—administrative
decision (Police Act 1998)**

General Order 8420, Human resource management, Learning and development,
Education assistance

General Order 8420, Human resource management, Leave, Leave

General Order 8420, Human resource management, Leave, Parental leave

General Order 8420, Human resource management, Recruitment, Recruitment of
Police Act and Protective Security Act employees

General Order 8420, Human resource management, Flexible working
arrangements, Flexible working arrangements

General Order 8420, Human resource management, Flexible working
arrangements, Purchased leave

General Order 8420, Human resource management, Flexible working
arrangements, Special leave without pay (Police)

General Order, **Instructions to Police Officers Award**

Police Act 1998

Fair Work Act 2009

Police Officers Award available through the intranet at <police connect home
page/employee self service/industrial information/awards and enterprise agreements>

SAPOL Gender Equity Action Plan available through the intranet at <police connect
home page/employee self service/equity and diversity/plans>

South Australia Police Enterprise Agreement 2016 available through the intranet at
<police connect home page/employee self service/industrial information/awards and
enterprise agreements>

6. FURTHER ENQUIRES

For further information on individual arrangements:

- Flexible Work Team, Human Resource Management Branch on 732 23246
- Payroll, Shared Services SA telephone 846 21333 (Press 1, then Press 3)
- Industrial Relations Branch 732 22354

7. DOCUMENT HISTORY SINCE 13/01/10

Gazette reference (SAPG)	Date	Action (amendment/deletion/new/review/temporary variation)
09/10	13/01/10	New General Order.
315/12	12/12/12	Review 2012.
131/13	26/06/13	Amendment—at 5. PROCEDURES, Approval of application to reflect additional manager responsibilities when receiving an application for part-time employment.
179/16	31/08/16	Review 2016.
117/18	23/05/18	Review 2018—including title change and the implementation of flexible working arrangements incorporating the 'If Not Why Not' approach.

APPROVED BY COMMISSIONER/DEPUTY.....
Print Full Name.....
ID Number.....
*Signature*21/05/18
*Date***Documentation certification and verification**

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