



# VICTORIA GOVERNMENT GAZETTE.

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*Public Service Act 1928, No. 3757, Section 180.*

## REGULATIONS—CHAPTER XIII.—LEAVE OF ABSENCE.

The Public Service Commissioner, in pursuance of the powers vested in him, hereby amends Chapter XIII. of the Public Service Regulations as shown below, as from the 1st July, 1933, and submits the same for the approval of the Governor in Council.

*Repeal—*

Clauses 1, 2, 3, 4, 5, and 6.

*Add—*

### SICK LEAVE.

1. In the case of illness of an officer, the conditions under which the Minister may grant leave of absence shall be as follow :—

- (a) When leave with pay is approved, the basis for determining the amount which may be granted shall be ascertained by crediting the officer with the following periods, such leave to be cumulative :—

	Leave on Full Pay.	Leave on Half Pay.
<i>Permanent Officers.</i>		
On completion of six months' service	16 days	16 days
On completion of two years' service and each year's service thereafter	8 days	8 days
<i>Temporary Officers.</i>		
On completion of six months' service—		
For every month of service	$\frac{1}{2}$ day	$\frac{1}{2}$ day
Provided that the scale of credits prescribed for permanent officers shall apply to temporary officers on completion of two years' service, such credits to be computed as from the date of commencement of service.		

- (b) To determine the leave for which an officer is eligible at any time all leave granted during his service at rates of full pay and half pay respectively shall be deducted from the appropriate period ascertained under the provisions of the preceding sub-clause:

Provided that no deduction shall be made on account of leave granted, and no credit shall be given in respect of any service, prior to the 1st January, 1901.

In a case where an officer has been granted leave of absence with pay at a rate less than half pay he shall for the purposes of this sub-clause be deemed to have been granted leave on half pay for such number of days at the rate of half pay as is appropriate to the amount of pay allowed to him for such absence.

- (c) After deduction has been made as provided in the preceding sub-clause the period remaining at each rate of pay shall be the amount of leave for which an officer is eligible:

Provided that the credit of an officer with at least two years' service shall not be reduced to less than eight days on full pay and eight days on half pay on the date of coming into operation of these regulations, and that any leave granted prior to that date, but not deducted by reason of this proviso, shall cease to be regarded as a debit against the officer.

Provided further that, notwithstanding the amount of sick leave standing to the credit of any officer, continuous leave with pay shall not be granted for any period longer than twenty-six weeks on full pay inclusive of any recreation leave which may be granted and twenty-six weeks on half pay. In the case of an officer who has had fifty-two weeks' continuous leave with pay, no further leave with pay shall be granted until such officer has completed a period of duty of not less than four weeks.

- (d) For each week an officer is absent on leave with full pay the amount of leave on full pay standing to his credit shall be reduced by six days.

For each week an officer is absent on leave with half pay the amount of leave on half pay standing to his credit shall be reduced by six days notwithstanding that his pay is reduced to half pay for seven days.

Where the absence exceeds one or more weeks but does not extend to a further week the number of weeks shall be recorded as hereinbefore provided and the remaining days shall be debited as a period of less than a week.

When the period of leave granted to an officer with pay (whether full pay or half pay) does not extend to a week his appropriate credit shall, subject to the provisions of clause 2 of these regulations, be reduced by the number of days he would have been required to be on duty if he had not been absent on sick leave. Provided that any teacher in the Education Department who is absent for five school days in any week during which he is not required to be on duty for more than five days shall be deemed to have been absent for a week.

For the purposes of these regulations a week shall be deemed to be any period of seven consecutive days inclusive of Sunday.

- (e) When an officer has been granted leave on half pay or without pay, restoration to full pay shall date only from the day he actually resumes duty, but this provision shall not apply to prescribed vacation periods for teachers in the Education Department.

- (f) In these regulations "service" means continuous service, inclusive of any period of absence on leave, provided that, in determining at any time the amount of leave standing to the credit of an officer who has been absent on leave without pay (other than for the purpose of serving with any Naval or Military Expeditionary Force or the Commonwealth Defence Force) continuously for a period extending beyond six months, such period as is in excess of six months shall not be counted as service.

2. (a) A public holiday observed between the first and last days of a period of leave of an officer shall be regarded as part of the leave.

(b) A public holiday observed at the expiration of a period of leave shall not be regarded as part of the leave when the officer resumes duty immediately after such holiday.

3. (a) For any period exceeding two days' continuous absence, a satisfactory certificate by a duly qualified medical practitioner shall be furnished setting out the cause of such absence. Provided that the Permanent Head may require a medical certificate to be furnished with respect to any absence.

(b) No leave shall be granted with pay on account of illness caused by the misconduct of the officer, or in any case of absence from duty without sufficient cause. Where the Permanent Head has occasion for doubt as to the cause of illness or the reason for absence, he shall before accepting a medical certificate refer such certificate to the Government Medical Officer for report.

(c) If the number of days during which an officer is absent in any year without a medical certificate exceeds five days in the aggregate, the number of days' absence in excess of five shall not be granted as sick leave, but shall be deducted from the officer's annual recreation leave or be granted without pay.

4. (a) In any case where, after the coming into operation of these regulations, the Government Medical Officer certifies that the illness of an officer with at least six months' service is directly attributable to or is aggravated by his service in the war which commenced in the year One thousand nine hundred and fourteen, such officer, on the exhaustion of his credit of leave with full pay or if he has no leave with full pay standing to his credit, may be granted additional leave with full pay up to but not exceeding four days in the aggregate during any year of service, and the additional leave so granted shall not be regarded as a debit against the officer.

(b) In a case where the nature of an officer's duties is such as to expose him to the risk of infection from a contagious disease, and the Government Medical Officer certifies that the officer has contracted an illness directly attributable to such infection, the officer may, on the exhaustion of his credit of leave with full pay or if he has no leave with full pay standing to his credit, be granted additional leave with full pay for a further period not exceeding thirteen weeks, and any additional leave so granted subsequent to the date of coming into operation of these regulations shall not be regarded as a debit against such officer.

(c) If any officer in the discharge of his duty sustains bodily injury of such a nature as to incapacitate him for all duty, and the Permanent Head is satisfied that such injury was not contributed to by the officer's negligence or misconduct, such officer shall, notwithstanding the amount of sick leave standing to his credit, be granted leave on full pay during such incapacity less the amount paid by way of weekly compensation by the State Insurance Commissioner. Leave granted under the provisions of this sub-clause shall not be regarded as a debit against the officer and shall not exceed a continuous period of fifty-two weeks inclusive of any other leave which may be granted with pay.

(d) In the case of any teacher suffering from pulmonary tuberculosis, who is certified by the Government Medical Officer to be probably curable, leave of absence may be granted on the following terms, viz.:—six months on full pay, and three months on half pay; provided that such pay may be made conditional on the teacher undergoing treatment in an approved sanatorium when so recommended by the Government Medical Officer. Any leave so granted in excess of the amount standing to his credit shall not be regarded as a debit against the officer.

5. In the case where an officer is continuously absent from duty on account of illness beyond a period of thirteen weeks, he shall not be permitted to return to duty until the Government Medical Officer shall have certified that he is fit to resume work.

6. In these Regulations "Government Medical Officer" includes—

- (a) Assistant Government Medical Officer.
- (b) Medical Officers at Hospitals for the Insane.
- (c) Medical Officers for Penal Establishments.
- (d) Medical Officers at Children's Welfare Depots.
- (e) School Medical Officers.

LEAVE FOR NAVAL AND MILITARY TRAINING.

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J. HARNETTY, Public Service Commissioner.

W. A. ROBINSON, Secretary.

Office of the Public Service Commissioner,  
Melbourne, 26th June, 1933.

Approved by the Governor in Council,  
the 28th June, 1933.

C. W. KINSMAN,  
Clerk of the Executive Council.