



Western Australia

## **Government Railways By-laws — By-law 84 (Workshop Rules)**

Compare between:

[04 Jan 1985, 00-b0-03] and [12 Dec 2003, 00-c0-06]



GOVERNMENT RAILWAYS ACT 1904

**Government Railways By-laws — By-law 84  
(Workshop Rules)**

1. This by-law may be cited as *By-law 84 — Workshops Rules*.
2. The *Workshop Regulations, 1907*, published in the *Government Gazette* on the 2nd August, 1907, and By-law No. 84 published in the *Government Gazette* on the 9th December, 1927, as amended by notice published in the *Government Gazette* on the 1st April, 1932, are revoked.
3. The rules set out in the Schedule to this by-law apply to all persons employed in the Western Australian Government Railways Workshops, Midland.

**1. Interpretation**

In these rules, unless a contrary intention appears —

**“Commission”** means the Western Australian Government Railways Commission, constituted pursuant to the provisions of the *Government Railways Act 1904*, (as amended);

**“Department”** means that branch of the Public Service employed in connection with Government Railways;

**“employee”** means any person employed by the Commission in the workshops of the Department, whether employed in a permanent, temporary or supernumerary capacity;

**“foreman”** means the foreman of a recognised section of the Workshops;

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**“Head of the Branch”** means the Chief Mechanical Engineer, or such other Head of Branch as the Commission may determine;

**“normal working hours”** means the ordinary hours of duty at the Workshops other than overtime or shift work as provided by those Industrial awards or agreements that are in force and which are now or may hereafter be recognised by the Department;

**“person-in-charge”** means the person having the care, control or oversight of the working of any section, place or part of the Railways and includes any superior officer having for the time being the care, control or oversight of the working of any section, place or part of the Railways;

**“starting time”** means the time at which an employee is directed to commence work, either by the person-in-charge, Works Manager, or by audible signal;

**“Workshops”** means the Department’s Workshops, at Midland;

**“Works Manager”** means the principal officer in direct control of the Workshops.

**2. Modification of existing by-laws**

Any departmental regulation, by-law and instruction in force at the commencement of this by-law is modified to the extent that it is inconsistent with this by-law.

**3. Obligations of employees**

Every employee shall —

- (a) proceed to that part of the Railway Service to which he may, from time to time, be appointed;
- (b) attend at such hours as may be required;
- (c) pay prompt obedience to all persons placed in authority over him; and

- (d) not be engaged or employed otherwise than in the service of the Department, without the permission of the Commission.

**4. Employees to accept by-laws**

Every employee whether engaged before or after the commencement of this by-law, shall acknowledge in writing that he will conform to all rules, regulations, by-laws and instructions of the Department.

**5. Time keeping**

- (1) The Works Manager shall cause a number to be allotted to each employee and supply and attach to the board at the timekeeper's lodge a metal check bearing that number, and hang the check on the board kept for that purpose at the timekeeper's lodge.
- (2) The employee shall, on entering the Workshops, lift the check from the board at the timekeeper's lodge and deposit it on the board provided for its reception within the Workshops.
- (3) When, on entering the Workshops, an employee finds that his check is not on the board, the employee shall not proceed to work without the permission of the Works Manager or his representative.
- (4) On termination of work, or when leaving the Workshops at any time, the check shall be lifted from the Workshops board and placed on the board at the timekeeper's lodge.
- (5) Any breach of the provisions of any of subrules (2), (3) or (4) of this rule renders the employee liable to loss of earnings for the day in respect of which the breach occurs.
- (6) An employee shall, under no circumstances, lift or deposit a check belonging to another employee.

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**6. Starting and finishing times**

The time of starting and finishing work shall be such as is fixed by the Head of the Branch, from time to time as the circumstances may require.

**7. Starting and finishing signal**

- (1) During normal working hours, an audible signal shall be given to indicate the time for commencing and ceasing work.
- (2) Each employee present in the Workshops when the starting signal is given shall commence work forthwith.

**8. Starting late**

- (1) An employee arriving for work at the Workshops —
  - (a) within the space of one hour after the signal to commence work, is liable to a fine; or
  - (b) after the expiration of the period of one hour after the signal to commence work, shall not be permitted to commence work until after the midday meal time has expired and shall suffer a loss of earnings accordingly.
- (2) An employee arriving after the midday meal time for work at the Workshops. —
  - (a) within the space of six minutes after the signal to commence work, is liable to a fine; or
  - (b) after the period of six minutes from the signal to commence work, shall not be permitted to commence work until the next starting time and shall suffer a loss of earnings accordingly.
- (3) An employee who arrives late for work and is permitted to lift his time check shall obtain a permit from the time keeper and proceed to, and start, work immediately after he has handed the permit and time check to his foreman or the person-in-charge.

- (4) An employee who is habitually in breach of the provisions of this rule renders himself liable to dismissal.

**9. Absence without permission**

An employee must not absent himself from duty, alter his appointed hours of attendance, or exchange duty with any other employee, without the permission of his foreman or other person-in-charge.

**10. Failure to report for work**

- (1) An employee who fails to report for work shall send a written notice to his foreman within 24 hours of his failure to report and the notice shall contain the reason for his absence.
- (2) Where an employee is or is likely to be absent from work for a period of three days or more owing to illness or to injury sustained while off duty, he shall furnish a certificate from a medical practitioner that he is unfit to attend, otherwise he shall be regarded as being absent without leave.

**11. Relieving employees**

- (1) Where one employee is to relieve another, the person about to be relieved shall not, in any circumstances, leave duty, until the employee directed to relieve him arrives or until he has authority from his foreman or other person in charge to do so.
- (2) An employee being relieved by another shall, before handing over, communicate to his relief the details of any circumstances out of the ordinary course of working that may have occurred during the period of duty that is ending.
- (3) A person employed in any capacity shall not give up charge to any other person whose duty it may be to relieve him unless he is satisfied as to the sobriety of his relief; and, where he is not so satisfied, he shall report the fact forthwith to the foreman or other person-in-charge.

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**12. Entry to exit from workshops**

Each employee shall enter and leave the Workshops through such timekeeper's lodge as he may from time to time be directed by the timekeeper.

**13. Pass-out**

- (1) An employee shall not leave the Workshops during working hours without first obtaining a pass-out permit and his time check and depositing both with the timekeeper.
- (2) Where an employee leaves the Workshops and returns to the Workshops on the same day he shall report to the timekeeper as he returns to the Workshops and obtain his time check and pass-in permit.

**14. Change of address to be notified**

The place of residence of each employee shall be registered, and any change of residence shall be at once notified to the management by the employee concerned.

**15. time books to be maintained**

- (1) Each employee shall be provided with a timebook in which he shall, at the commencement of each pay period, enter his number, name, designation, rate of pay and also, against each day, the work order number, particulars of work performed and time spent on each job.
- (2) An employee must give complete and accurate particulars on any time sheet, time book, attendance book, or other document used for time keeping or costing purposes, and must keep any record neat and tidy; and an employee who falsifies or mutilates a time record, or neglects to supply proper information commits an offence against these rules.
- (3) Shop stewards may be required to book time spent on Union business to the work order as determined by the management from time to time.



**16. Payment of wages**

- (1) Wages shall be paid fortnightly, as early as convenient after the close of the pay period.
- (2) Where the amount paid to an employee does not agree with the amount appearing on the Advice of Earnings slip, the employee shall forthwith and in any event before leaving the precincts of the pay point at which he was paid, notify the paying officer of that fact.
- (3) Where an employee has not complied with the provisions of sub-rule (2) of this rule, the Department shall not entertain any claim by that employee in respect of an alleged shortage in pay.

**17. Incorrect payment of wages**

Where an employee receives the correct amount shown on the Advice of Earnings slip referred to in rule 16 of these rules, but believes that he has received a wrong amount of wages, he shall at once report the matter to his foreman.

**18. Employees to obey instructions**

- (1) Every employee shall promptly obey all instructions issued by the foreman or other person-in-charge, and shall pay strict regard to order, regularity, system and safety throughout the Workshops.
- (2) Where an employee does not understand his duty, or is in doubt as to his duty, he shall immediately apply to his immediate superior for instructions.

**19. Quality of work**

All work shall be executed in a workmanlike manner.

**20. Supervision**

- (1) Every person-in-charge shall see that any employee working under his supervision is competent for the work which that

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employee is set to do and that the work is performed in a proper manner.

- (2) Carelessness, negligence or incompetency on the part of an employee shall forthwith be reported by a person-in-charge to his immediate superior officer.

**21. Loitering etc.**

An employee shall not loiter or waste time during working hours, nor cease work, nor make preparation to leave his work, before the signal to do so has been given.

**22. Employee to remain in work area**

Unless he is authorised to do so by his foreman or person-in-charge, an employee shall not leave that part of the Workshops in which he is required to carry out his duties.

**23. Employee to leave Workshops at end of shift**

An employee shall not remain in or return to the Workshops premises after the time set for completion of his duties each day, without the permission of the Works Manager.

**24. Alcohol and drugs**

An employee who —

- (a) introduces, or causes to be introduced into Workshops premises any intoxicating liquor or drugs;
- (b) consumes an intoxicating liquor or drug; or,
- (c) is considered by a person-in-charge to be under the influence of an intoxicant, or from any other cause to be unfit to perform his duties,

may be summarily dismissed or be suspended from duty and liable to be dismissed or otherwise dealt with by the Head of the Branch.

**25. Suspension of employee**

- (1) An employee who —
- (a) disobeys instructions;
  - (b) performs his work in an unworkmanlike manner;
  - (c) interferes or argues with another employee;
  - (d) uses obscene or abusive language in the Workshops;
  - (e) is absent from his work without leave;
  - (f) habitually loses time from duty; or
  - (g) is guilty of conduct prejudicial to discipline,

may be suspended from duty, fined, reduced to a lower grade, transferred or dismissed; and salary or wages may not be claimed by that employee in respect of any period of suspension or absence from duty without leave or of any period following his dismissal.

- (2) A person-in-charge may suspend from duty an employee who is under the influence of intoxicants or who is guilty of disobedience of orders, misconduct, or absence without leave.

**26. Trading**

- (1) An employee shall not trade in the Workshops either directly or indirectly, for himself or others.
- (2) This rule does not apply to the approved activities of the Workshops Welfare Canteen.

**27. Eating; playing of games**

An employee shall not —

- (a) eat his meal in any of the coaching stock, or locomotives; or
- (b) play any games such as cricket or football within the Workshops area.

**28. Obligations of employee**

An employee must —

- (a) preserve as clean an appearance as the nature of his duty makes possible;
- (b) exercise particular care and attention in the performance of any duty which necessarily exposes him or any other employee to risk of personal injury;
- (c) insofar as it may be in his power, prevent any other employee from recklessly or needlessly exposing himself and others to danger;
- (d) take every practicable step to eliminate anything liable to cause an accident;
- (e) observe all instructions on safety measures;
- (f) where the occasion requires, use protective devices and equipment provided;
- (g) while on duty, wear such clothing, headgear and footwear as the person-in-charge may direct, to minimise injury; and
- (h) where injured on duty, inform the person-in-charge of that circumstance as soon as practicable, and in any event, unless it is impracticable, before ceasing duty.

**29. Claims for compensation**

A claim for compensation in respect of any injury shall be lodged in accordance with the regulations under the *Workers Compensation Act 1912* (as amended).

**30. Ambulance arrangements**

Qualified members of the St. John Ambulance Association employed in the Workshops shall constitute the Workshops Ambulance Corps, and a first officer, elected annually by that Corps, shall have charge of all ambulance arrangements in the Workshops, exclusive of the casualty ward.

**31. Procedure in event of accidents**

- (1) Where an accident to an employee occurs, a member of the Ambulance Corps, or in his absence, a recognised member of the St. John Ambulance Association who is working in the shop where the accident occurs shall take control of the patient and place the injured person in the care of the officer at the casualty ward or a medical practitioner, as soon as practicable.
- (2) The first aid man shall remain in attendance until released by the officer in the casualty ward or by the medical practitioner.

**32. Provision of first aid**

Any dressing of wounds or other ambulance attention shall be given at the casualty ward, and outside the casualty ward, attention shall be restricted to “first aid” only.

**33. Casualty ward under control of officer in charge**

The officer in charge of the casualty ward shall have absolute control of all cases brought to the ward for attention until, where the services of a medical practitioner are necessary, the practitioner arrives.

**34. Entry to casualty ward; treatment of other injuries**

- (1) An employee shall not enter the casualty ward unless authorised by the officer in charge of the ward.
- (2) Treatment of employees, either in the Workshops or in the casualty ward, for ailments or injuries other than injuries sustained in the Workshops is strictly forbidden.

**35. Works Manager responsible for casualty ward and ambulance**

The direction of the casualty ward and works ambulance generally is vested in the Works Manager.

**36. Keeping of records and accounts**

An officer must ensure that any person under his control keeps the proper records, books and accounts applicable to that person's duties; and any employee failing to report an irregularity that may come to his knowledge is culpable to the same extent as if he were the person originally at fault.

**37. Grievances, appeals etc.**

- (1) Subject to the provisions of each of subrules (2) and (3) of this rule, and of Rules 72 and 75, employees shall address all departmental communications to the Works Manager and forward them to him through their foreman.
- (2) All appeals to —
  - (i) the Railway Appeal Board; or
  - (ii) the Government Employees' Promotions Appeal Board,shall be forwarded directly to the respective Boards.
- (3) Where an employee is aggrieved by a decision of the Works Manager, he may address an appeal from that decision directly to the Head of the Branch.
- (4) Where an employee is aggrieved by a decision of the Head of the Branch, he may address a further appeal from that decision to the Commission, through the Head of the Branch.

**38. Employee to communicate through superior officer**

Subject to the provisions of Rule 37 of these rules, an employee shall not —

- (a) address any communication in connection with his duties or position in the Railway Service other than through his immediate superior officers; or
- (b) use or obtain outside influence, either directly or indirectly, to represent his requirements.

**39. Confidentiality**

An employee of the Commission shall not except in the course of his official duty and with the express permission of the Commission or the Head of Branch —

- (a) give any person any information relating to the business of the Commission that has been furnished to him or obtained by him in the course of his official duty as an employee;
- (b) disclose the contents of any official papers or documents that have been supplied to him or seen by him in the course of his official duty as an employee or otherwise;
- (c) publicly comment on the administration of the Western Australian Government Railways; or
- (d) use, for any purpose other than the discharge of his official duties, information gained by, or conveyed to, him as an employee of the Commission.

**40. Complaints regarding superior officers**

Any workman who has cause to complain of, or to make a report against, his superior officer or any member of the Department, shall make the complaint or report in writing, through his immediate superior officer, within seven days after the cause of the complaint arising.

**41. Smoking**

An employee shall not smoke in locations where there is a danger of fire or in any of the following parts of the Workshops —

Pattern Shop,  
Pattern Shop Stores,  
Paint Shop Stores,  
Trimming Shop,  
Tarpaulin Shop,

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or in any other location were inflammable or explosive materials are used or stored.

**42. Artificial lights, use of fire**

- (1) An employee using artificial light shall extinguish it before leaving the premises where the light is burning.
- (2) Any tradesman working with fire is responsible for seeing to the extinguishment of the fire and for taking every other necessary precaution with regard to it, before leaving the Workshops.

**43. Fire**

- (1) When a fire is discovered on or adjacent to the Workshops premises during normal working hours, the person discovering the fire shall immediately report its occurrence, location, and extent to the person-in-charge who shall notify the Works Manager's office from which all necessary arrangements for combating the fire will be made with the local fire brigade and the Workshops fire fighting unit and any other employee required to assist in combating the fire will be specially summoned from the Works Manager's office.
- (2) Where a fire is discovered on or adjacent to the Workshops premises, outside of normal working hours, any employee on duty shall notify the Patrol Office immediately.

**44. Tools**

- (1) Every tool, special or otherwise, the property of the Department, shall bear the departmental brand, and every employee shall see that the brand is made and maintained on every tool in his possession.
- (2) A tool shall not be used until it is properly branded.

**45. Storage of tools**

- (1) Where necessary, an employee shall be provided with a proper drawer, box, cupboard or other container in which to keep tools



belonging to the Department, under lock and key, and the foreman in charge of the employee shall periodically examine and check the contents of the drawer, box, cupboard or other container.

- (2) An employee shall not, without the permission of that other employee, open or interfere with or take from the drawer, box, cupboard or other container of any other employee, any tool, unless directed to do so by, and in the presence of, his foreman.
- (3) Subject to the conditions of his employment, an employee may be provided with a locker in which to store his personal effects, during working hours, and that locker may be examined periodically by a person authorised by the Commission or the Head of the Branch, in the presence of the employee to whom the locker is issued; but if, in the opinion of the Commission or the Head of the Branch, it is necessary for the locker to be searched in the absence of the employee, a person so authorised may search the locker, accordingly.

**46. Damaging tools, etc.**

- (1) An employee shall not damage, destroy, or otherwise make away with any tool or other article, nor deface, mutilate or destroy any drawing, pattern, notice, or other article, the property of the Department.
- (2) All tools supplied from any tool store shall be promptly returned by the person to whom they are issued.

**47. Breakages to be reported**

- (1) An employee who, in the course of his work, breaks or otherwise damages any tool, machinery or other property of the Department, shall at once report the matter to his foreman.
- (2) For information, attention is drawn to the following section of the *Government Railways Act 1904* (as amended): —

52. Every person employed on or about a railway shall be responsible for any damage caused by his wrong-doing

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or neglect; and the loss occasioned thereby may be deducted from any salary, wages, or emolument due to such person, or may be recovered in a summary way.

Provided that in the case of a permanent employee (as defined in section seventy-seven of this Act) where the loss occasioned by such damage is deducted as aforesaid, then such employee shall be entitled to appeal against such deduction to the Appeal Board as provided in said section seventy-seven.

**48. Tool-making shops and tool stores**

- (1) The employee in charge of a tool-making shop or tool store is responsible for the safety, accuracy, branding and condition of all portable and special tools, gauges, templates, other materials and tools usually found in tool-making shops or tool stores; and where damage to those tools, gauges, templates or other materials is caused by all employee, other than by fair wear and tear, he shall report that damage to the foreman.
- (2) The employee in charge of a tool-making shop or tool store shall not allow any tool to go out of, or return to, his charge without carefully recording the name of the employee who obtains and returns it, and the date of issue and of return of the tool.
- (3) Where a tool is not punctually returned, the employee in charge of a tool-making shop or tool store shall advise the foreman of the employee who retains it or to whom it was issued.

**49. Removal of articles from Workshops**

- (1) An employee shall not remove any article or material, whether the property of the Department or privately owned, from the Workshops premises, without the written permission from his foreman.
- (2) An employee who removes tools or material from the Workshops to any place where he may be temporarily employed shall obtain a written permit from his foreman and hand that

permit to the storeman at the main gate, who shall check the articles before they are taken off the premises; and, upon the completion of the work, the employee shall return the tools and any surplus materials to the Workshops through the storeman.

- (3) An employee is liable for any loss of, or damage occasioned by him, other than by fair wear and tear, to departmental property.

**50. Loan of tools etc.**

Tools, appliances or material of any description belonging to the Department shall not be lent or borrowed, without the written permission of the Works Manager.

**51. Permit to remove tools**

Employees requiring, for any reason, to remove tools belonging to themselves from the Workshops, shall obtain a written permit to do so from their foreman.

**52. Replacement tools**

- (1) An employee is not permitted to make any replacement tool, without the authority, and under the direction, of his foreman.
- (2) The manufacture of new tools shall not be undertaken unless authorised by the Works Manager.

**53. Altering tools**

An alteration shall not be made to any special tool, gauge or master tap, or any drawing altered or departed from, without written authority of the management.

**54. Unauthorised work**

An employee shall not —

- (a) order work of any description to be undertaken or carried out; or
- (b) order materials to be supplied, whether in connection with that work or otherwise,

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without being duly authorised to do so by his foreman.

**55. Removal of stores**

An employee shall not remove stores from a storeroom or work of any description from any shop without an order signed by his foreman, nor without the stores or work being properly accounted for to the person-in-charge.

**56. Goods other than tools not to be brought into Workshops**

An employee is expressly forbidden to bring into the Workshop material or goods of any description, other than such tools required for his work as are not provided by the Department.

**57. Conversion of Departmental property**

- (1) An employee shall not convert to his own use any material or article the property of the Department, however small its value; and, under no circumstances, may an employee make any tool, pattern, model or article of any description, nor do work of any nature whatever, in the Workshops, for private purposes.
- (2) Any infringement of this rule by an employee renders him liable to summary dismissal.

**58. Stores and materials not to be wasted**

Every employee shall be economical in the use of stores and material and shall draw his foreman's attention to any property exposed to, or liable to, waste or damage.

**59. Obligation of employee leaving service**

- (1) When an employee leaves the employ of the Department, he shall account for all tools and other property issued to him by the Department and entrusted to his care, during the term of his employment.
- (2) Any money which may be due to an employee by way of wages, at the time when he leaves the employment of the Department,

shall not be paid to him until all tools and other property issued to him by the Department and entrusted to his care, during the term of his employment, have been either delivered up to, or accounted for in a manner satisfactory to, the Department.

- (3) Where any tool or other property issued to all employee by, or entrusted to his care during his term of employment in, the Department is found to be missing or damaged by improper use, the cost of the replacement or repair of that tool or other property shall be a debt due from the employee to the Commission, and may be deducted from any salary, wages or emoluments due, and the balance (if any) may be recovered in any court of competent jurisdiction.

**60. Visitors**

Visitors shall not enter on the Workshops premises, without the permission of the Works Manager; and any employee assisting in any way to bring an unauthorised person on to the Workshop premises commits an offence against these rules.

**61. Canvassing**

Canvassing on Workshops premises, for any purpose whatever, is strictly forbidden.

**62. Meetings, collections, advertising etc**

A person shall not, within the Workshops premises —

- (a) hold any meeting;
- (b) make any collection;
- (c) post any notice or advertisement; or
- (d) distribute literature of any kind,

without the permission of the Works Manager.

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**63. Lotteries etc.**

- (1) Betting, lotteries, raffles, sweeps or gambling of any kind are not permitted within the Workshops premises.
- (2) Any employee shall not borrow money from or place himself under any pecuniary obligation to another employee.

**64. Bicycles**

Bicycles shall not be taken into, or ridden within, the Workshops premises.

**65. Restricted areas**

- (1) An employee shall not walk upon the permanent way except where necessary to do so in the execution of his duty.
- (2) All employee shall not enter any part of railway premises, such as a booking-office, a parcels office, a signal box or any like premises not set apart for public use, except when required to do so in the performance of his duty; and an employee shall not loiter in any such place after completing the duty for the purposes of which, he entered.

**66. Unauthorised travel on railway**

An employee shall not travel on the Railways unless he has obtained the necessary ticket or been provided with a free pass and, except in the execution of his duty, shall not ride, without the written permission of an authorised officer, on a locomotive, in a brake van or in any vehicle in which mails, luggage or parcels are conveyed.

**67. Free passes, season tickets etc.**

A free pass, season ticket or other recognised travel authorisation granted to an employee for any purpose shall at all times remain in his possession, until the date of its expiry; and if not then collected, under the special terms of issue, the pass,

ticket or authorisation shall be promptly returned to the issuing officer.

**68. Annual holidays**

The Workshops shall be closed for a period in each year to enable the paid annual holidays prescribed in the current industrial awards to be taken out.

**69. Workshops Welfare Committee**

- (1) For the purpose of promoting the welfare of the Workshops as a whole in matters not dealt with in industrial awards or agreements relating to the Workshops, a Committee, known as the Workshops Welfare Committee, shall be appointed.
- (2) The Workshops Welfare Committee shall be constituted by the election of one member from each of the following parts of the Workshops —
  - Boiler Shop and Flanging Shop;
  - Blacksmith Shop and Boiler House;
  - Machine Shop and Wheel Section;
  - Fitting Shop, Diesel Shop and Weighbridge;
  - Electrical Shop, Electro Plating, Power House and Coppersmith Shop;
  - Foundry, Pattern Shop, Tool and Test Room;
  - Wagon Shop and Mill;
  - Car Shop and Derricks;
  - Paint, Trimming and Tarpaulin Shops;
  - Track Equipment and Yard Gang.
- (3) The Head of the Branch may amend the grouping of sections which comprise any particular shop and may substitute a shop for any one of the shops specified in subrule (2) of this rule.
- (4) The Works Manager shall call for nominations for the office of member of the Workshops Welfare Committee.
- (5) Where only one nomination is received by the Works Manager from a shop, then, the person nominated is elected to the

Workshops Welfare Committee; but, where more than one nomination is received, a ballot shall be conducted under the direction of the Works Manager and every person who is engaged or employed in the shop from which the nominations were received is entitled to a vote.

- (6) The Works Manager shall determine the method of voting and of counting votes.
- (7) For the constitution of the Workshops Welfare Committee in accordance with this rule, in the first instance, the Head of the Branch shall appoint one-half of the members to hold office for a period of twelve months and the balance of the members shall hold office for a period of two years.
- (8) After the first election, elections shall be held annually in October or at such other time as the Works Manager may determine, to fill vacancies occasioned by the retirement of members.
- (9) Except as provided by subrule (7) of this rule, a member of the Workshops Welfare Committee shall hold office for two years, but the office of a member becomes vacant if the member —
  - (a) resigns;
  - (b) ceases to be employed in the Workshops;
  - (c) becomes incapable of acting, by reason of mental or physical infirmity; or
  - (d) is guilty of misconduct and he is removed by the Head of the Branch.
- (10) Where a vacancy in the office of a member occurs during his term of office, a person elected to fill the vacancy is entitled to occupy the office for the remainder of that term, only, and he shall be elected in accordance with the provisions of subrules (4) and (5) of this rule.
- (11) A person is not rendered ineligible for election to the office of member by reason only that he has previously held office as



such, except where he has been removed from office for misconduct.

- (12) Every member shall confine his activities, in relation to his office, to his own shop and shall not visit other parts of the Workshops, unless he is authorised to do so by his foreman or other superior officer.
- (13) A meeting of the Workshops Welfare Committee shall not be held during working hours unless the Works Manager gives his prior approval for the meeting.
- (14) The Works Manager shall, from time to time, issue general instructions to the Workshops Welfare Committee in relation to its control and working.

**70. Lost property**

- (1) Money or other property found within the Workshops area must immediately be delivered to the Clerk to the Works Manager.
- (2) An employee has no claim to any, or the proceeds of any, property mentioned in this rule; and, as between the Commission and any employee finding it, the property is deemed to belong to the Commission.
- (3) This rule applies to an employee whether on duty or not.
- (4) Any money, including Australian notes, bank notes, bank drafts, cheques and other orders, warrants, authorities or requests for payment of money to which this rule applies shall, if not claimed by the owner within four months of the date of finding, be disposed of in accordance with the *Government Railways Act 1904* (as amended).

**71. Breach of by-laws**

Any employee who commits a breach of these rules or is guilty of misconduct is liable to be disciplined in such manner as may be determined by the Head of the Branch.

**72. Fine for breach of by-laws**

Notwithstanding anything elsewhere provided in these rules the Commission or the Head of the Branch may impose a fine not exceeding twenty dollars for any breach of this by-law or any other rule, regulation or instruction and may deduct the amount of the fine from the wages of the employee.

**73. Appeal to Railway Appeal Board**

Where an employee has been continuously employed for three months or more and has been fined, reduced to a lower class or grade, dismissed, suspended from duty in circumstances involving loss of pay, or transferred by way of punishment involving loss of transfer expenses, or suffered a deduction of wages as provided by section 52 of the Government Railways Act, he may appeal to the Railway Appeal Board, in the prescribed manner.

**74. Record to be cleared after 2 years**

A period of two years without any recorded offence shall be taken as obliterating any previous detrimental record from the personal history card of an employee; but, in any particular case where it appears necessary to the Commission, the Commission may direct that the record of an offence shall remain; and, in any event, the record of cases heard before the Railway Appeal Board shall not be obliterated.

**75. Deduction of rent from wages**

The Commission may deduct from the salary or wages of an employee any amount that may be due by him for rent in respect of premises vested in the Commission of which he may be a tenant.

**76. Suggestions**

- (1) Suggestions from the staff for improvement in the operation of the Department leading to greater efficiency and promoting

better relations with the public will be considered find dealt with by the Suggestions Board.

- (2) For the purpose of this rule, the Board will receive suggestions from the staff on any matter affecting the organisation and conduct of Railway work, in its various branches.
- (3) Any suggestion in terms of this rule should be submitted direct to the Secretary, Suggestions Board, Secretary for Railways' Office, Perth.

*[By-law 84 inserted by Gazette 22 September 1969 pp.2902-10;  
amended by Gazette 4 January 1985 p.153.]*

### Notes

- <sup>1.</sup> This is a compilation of *Government Railways By-laws — By-law 84* and includes the amendments referred to in the following Table.

### Compilation table

| Citation  | Gazettal   | Commencement |
|---|--|--------------|
| <i>Government Railways By-laws — By-law 84</i>  | 22 Sep 1969<br>pp.2902-10<br>4 Jan 1985<br>p.153 |              |
| <u><a href="#">These by-laws were repealed by the Government Railways Amendment and Repeal By-laws 2003 bl. 3 as at 12 Dec 2003 (see Gazette 12 Dec 2003 p. 5042)</a></u> |  |              |