



Western Australia

GOVERNMENT RAILWAYS ACT 1904

Western Australian Government Railways Salaried Staff By-law — By-law 66

These by-laws were repealed by the *Western Australian Government Railways Cadet By-law* as at 6 Feb 1968 (see *Gazette* 6 Feb 1968 p. 225).

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Western Australian Government Railways Salaried Staff By-law — By-law 66

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GOVERNMENT RAILWAYS ACT 1904

Western Australian Government Railways Salaried Staff By-law — By-law 66

1. Citation and Application

This by-law may be cited as the *Western Australian Government Railways Salaried Staff By-law* and shall have application to all officers who are engaged for the working, maintenance and/or construction of the Western Australian Government Railways.

2. — Interpretation

2. Interpretation

- (a) **“Head of Branch”** shall mean the Secretary for Railways, Chief Traffic Manager, Chief Civil Engineer, Chief Mechanical Engineer, Comptroller of Accounts and Audit, Comptroller of Stores, Industrial and Staff Manager, or such other Head of Branch as may hereafter be appointed.
- (b) **“Officer”** shall mean any person who is in receipt of an annual salary.
- (c) **“Permanent”** shall mean an officer who has served the full period of probation and whose appointment has been confirmed by the Commission.
- (d) **“Temporary”** shall mean a person who is engaged upon probation or upon work which, in the opinion of the Head of the Branch, is not likely to necessitate a permanent appointment,

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whose term of employment shall in all cases be at the discretion of the Head of the Branch.

3. — Appointment to the Service

3. Appointment to the Service

- (a) Applications for appointment to the Service shall be made on the usual departmental form.
- (b) When Junior Clerks are required, applications shall be invited by public advertisement.
- (c) The form shall be filled in in the applicant's own handwriting, and addressed to the Chairman of the Selection Board.
- (d) Each application shall be supported with the following documentary testimony, *viz.*: —
 - 1. (i) Applicants born in Australia — A Registrar Certificate of Birth or Extract of Birth Entry.
 - (ii) Applicants born outside Australia — a Registrar's Certificate of Birth on the form in use in the country of birth.
 - 2. Educational Certificate to the standard determined by the Commission for the position applied for.
 - 3. Three original testimonials of character, one of which shall be from the last employer or (in the event of an applicant not having been previously employed, from the Head Teacher of the school last attended) or satisfactory explanation why such testimonial is not procurable, shall be furnished. One copy of each testimonial in the applicant's own handwriting shall also be supplied.
- (e) The age of admission shall be: —

		Age last birthday	
		Minimum	Maximum
(1)	For Junior Clerks	15	16

(2) For other Positions — 35

- (f) Provided always an application may be considered from a candidate below the minimum age, who holds an educational certificate higher than the prescribed minimum, and that in special cases, to meet the requirements of the Service, the Commission may admit any person whose age is beyond the prescribed maximum.

4. — Junior Clerks

4. Junior Clerks

- (a) Applicants for the position of Male Junior Clerk who have complied with the provisions of paragraph 3 may be called upon to present themselves before a Selection Board appointed by the Commission, which Board may take tests and arrange for such nominations as it may deem necessary.
- (b) The Board shall decide which applicants are suitable for employment and in what order they shall be offered positions.
- (c) In making their selection, the Board shall be governed by the examinations which the applicants have passed, their physical appearance, apparent general capabilities to discharge the duties which they shall be required to perform, and such other considerations as they may think it necessary to take into account in influencing their choice.
- (d) The approved applicants shall be offered positions in the order in which they are placed by the Selection Board, and any applicant who does not accept a position when it is offered shall have his or her name removed from the list of approved candidates, unless the Commission approves of the name being retained on the list.
- (e) An approved applicant, at the discretion of the Commission, may be appointed notwithstanding that he or she may not be the next in order on the selected list.

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- (f) If approved applicants are not employed within twelve months of their appearance before the Selection Board, their applications shall lapse, but the Board may extend the period in cases of applicants who are still eligible under clause (e) of paragraph 3.

5. — Probation

5. Probation

- (a) Every person appointed under this By-law shall serve a probation of one year, except where otherwise provided.
- (b) After a period of probation and upon production of a certificate of fitness from the Head of the Branch in which the probationer has been employed, his or her appointment may be confirmed by the Commission.
- (c) Exemption may be granted by the Commission in regard to a term of probation in the case of officers of known ability and skill.

6. — Examinations

6. Examinations

- (a) All officers shall present themselves for medical examination and vision and hearing tests when instructed so to do.
- (b) All officers shall qualify and pass examinations in such subjects as the Commission may decide, consistent with the duties they are required to perform, always provided the officer concerned be given a reasonable opportunity to qualify and the retention of any officer in the Service shall be contingent upon his passing such examination.

7. — Duties and Discipline

7. Duties and Discipline

- (a) All persons employed by the Commission shall devote themselves exclusively to the Commission's service during their

rostered hours of duty, and conform to all the rules and regulations of the Commission; they shall reside at whatever place may be appointed, attend at such hours as may be required, and pay prompt obedience to all persons placed in authority over them.

- (b) No employee shall trade, either directly or indirectly, for himself or others.
- (c) Provided that nothing herein contained shall be deemed to prevent an officer holding a paid position in a registered Friendly or Co-operative Society, or in any Association, Society or Union of Railway Officers.
- (d) Any officer shall not use for any other purpose than the discharge of his official duties information gained by or conveyed to him through his connection with the Railway Service.
- (e) If the estate of an officer shall become sequestrated, either voluntarily or compulsorily, for the benefit of his creditors, such officer shall report full circumstances through the Head of his Branch to the Commission, and shall apply as soon as he may legally do so, to the Court for a certificate of discharge. If such officer does not so report or apply for such certificate of discharge, or if he applies, and it appears from the report that such officer has been guilty of fraud, dishonourable conduct or extravagance, such officer may be dismissed or otherwise dealt with by the Commission.
- (f) If an officer is, on an indictment, convicted of any offence, he shall be dismissed from the Service.

8. — Retirements

8. Retirements

[(a) *deleted*]

- (b) An officer eligible for payment of a pension in terms of the *Superannuation and Family Benefits Act 1938*, and who has

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elected for retirement at age sixty or at an age between sixty years and sixty-five years may retire upon attaining such elective retiring age.

[By-law 8 amended in Gazette 17 February 1998 p.921.]

9. — Reductions in Staff

9. Reductions in Staff

- (a) The Commission may, if it thinks it desirable, abolish any office or reduce the number of staff, and in such cases, may dispense with the services of any officer or offer them positions in lower classes as the Commission may deem fit.
- (b) Whenever the Commission considers it necessary to reduce the number of staff, the following shall be the course adopted with regard to the re-employment of retrenched officers, *viz.*: —
 - (i) The name and address of each officer shall be registered. As vacancies occur each shall, in order of seniority of service, all other things being equal, have the offer of re-employment in any position in the department for which he is qualified.
 - (ii) An officer having left the Department on account of retrenchment and being re-employed within twelve months may, with the approval of the Commission, be credited with the period of former service, but the salary at which the re-employment is made shall be the starting factor for future advancement.

10. — Uniforms

10. Uniforms

The following uniforms will be supplied to Station Masters, Assistant Station Masters, Night Station Masters, Traffic Relief Officers, Traffic and Transport Inspectors, Traffic Foremen, Traffic Sub-Foremen, the Goods Agent, the Traffic Liaison Officer, Parkeston, Road Service Officers and Assistant Road Service Officers, namely —

1 uniform each year,
(comprising coat, two pairs of trousers, two shirts, one tie);
1 belt each alternate year;
1 cap each alternate year; and
1 helmet each alternate year,
in each case, except that of Night Station Masters who will
receive a cap, each year, but no helmet.

[By-law 10 inserted by Gazette 10 June 1965 p.1749.]

11. — Camp Allowance

11. Camp Allowance

Officers who are employed under the Award of the Association
of Railway Professional Officers of Australia: —

- (a) Officers engaged on the survey of construction of new railways or on special maintenance and reconstruction works on opened lines or at any place within the limits of such survey or construction, shall be paid a daily allowance for a married man or a single man as the Commission may determine from time to time.
- (b) During such time as an officer is stationed in camp, payment of a camp allowance shall be made on the basis of a weekly rate calculated at seven times the daily rate for a married or single man as the case may be, and no deduction shall be made where an officer does not spend his weekends in camp: Provided that where an officer is transferred to or from a camp, then payment for any broken portion of a week shall be based on the appropriate daily rate as prescribed.
- (c) A single man in camp, on satisfactory proof being supplied that he is the main support of a parent or parents, or of younger brothers or sisters who normally reside with the officer, may on the approval of the Commission for the purposes of camp allowance be considered a married man.

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- (d) A married man with his wife and family in camp for a longer period than one month in any one year shall be paid during the period in excess of one month the allowance is prescribed for a single man.
- (e) A married man whose wife is domiciled outside of Western Australia shall for the purposes of this clause be regarded as a single man.
- (f) Camp allowance shall not be paid during any period in respect of which an officer is reimbursed travelling expenses for any other reason.

12. — General

12. General

- (a) Should an officer be transferred from another Branch of the Government Service to the Railway Department such transfer shall not carry with it any rights or privileges contrary to, or in conflict with, any By-law, Award or Agreement which may be in force at the time of such transfer.
- (b) No officer, unless authorised, shall incur liability or enter into any contract on behalf of the Department or alter the terms or conditions of any contract.
- (c) In the matter of accounts and the collection and remittance and payment of public moneys, each officer is enjoined to conform strictly to the *Audit Act 1904*, and such regulations and instructions as may be issued from time to time.
- (d) A son of an officer shall not, without the consent of the Commission, be engaged in any office or at any station under his father after he attains the age of 21.
- (e) In the event of any questions arising as to the meaning of this By-law or any part thereof, or as to anything done or alleged to have been done thereunto, or contrary thereto, it shall be referred to the Commission whose decision shall be final.

- (f) Every officer will hold his appointment conditionally upon his being subject to and strictly observing the By-laws, Rules and Regulations established from time to time for his or her guidance.

[By-law 66 amended in Gazette 17 February 1998 p.921.]

Notes

- ¹ This is a compilation of the *Western Australian Government Railways Salaried Staff By-law — By-law 66* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Western Australian Government Railways Salaried Staff By-law — By-law 66</i>	17 April 1953 p.676-81	17 April 1953
	10 June 1965 p.1749	
	3 March 1967 p.625-6	
	17 February 1998 p.921	
	These by-laws were repealed by the <i>Western Australian Government Railways Cadet By-law</i> as at 6 Feb 1968 (see <i>Gazette</i> 6 Feb 1968 p. 225)	