



1983

PARLIAMENT OF TASMANIA

PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS

REPORT ON PRISON OFFICERS ABSENTEEISM

Laid upon the Tables of both Houses of Parliament

The Committee was appointed under the provisions of section 2 of the Public Accounts Committee Act 1970 (No. 54).

MEMBERS OF THE COMMITTEE

Legislative Council
Mr Batt
Mr Gregory
Mr McKay

House of Assembly
Mr Barnard (Chairman)
Mr Davis
Mr Lyons

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A. B. CAUDELL, Government Printer, Tasmania

REPORT

PRISON OFFICERS ABSENTEEISM

The Public Accounts Committee towards the end of 1981 noted the following comment by the Auditor-General at page 46 of his report:

Overtime worked at the Risdon Prison during 1980-81 exceeded 20 000 hours. Fifty male prison officers (more than one-third of the total) earned in excess of \$2 000 in overtime payments. Of these, nine received more than \$3 000 and a further two in excess of \$4 000.

While there was no suggestion of any illegal payments having been made, the Committee nevertheless decided to make some enquiries into this matter.

It quickly became quite apparent that there is wholesale abuse of the sick leave regulations by many Prison Officers at Risdon. At this point it should be made clear that this does not apply to the staff at the women's prison nor those at the prison farm, Hayes. The Committee studied in considerable detail the records of sick leave, penalty payments and overtime. In the period 1 July 1980 to 30 June 1981 no sick leave at all was taken by women's prison staff.

The Committee, as well as examining statistics, heard evidence from the Prisons Department administration and from three Prison Officers. During the period of the investigation there was a dramatic reduction in the incidence of sick leave. But later information indicated that this improvement was only temporary. The Committee has decided that the evidence taken on this matter should be forwarded to the Public Service Board and this Report tabled in order that the Parliament, the Board and others concerned may be aware of the extent of absenteeism at Risdon.

The Committee found no reason to criticise the administration of the Prisons Department for the situation that exists at Risdon. Apart from the fact that apparently the problem is general in Australian prisons systems, the staff of the Department whom we met were genuinely concerned. It was generally accepted by management that the absenteeism resulted from abuse of a combination of sick leave regulations and award penalty rates.

Sick leave under the Public Service Regulations is thirty days in three years to begin with, rising to six months in three years after long service. While this is not unreasonable in genuine cases, it is unacceptable where employees take it as an entitlement, whether they are sick or not. Prison work is different in that each man must be replaced rather than the work shared or delayed. This is where the award encourages manipulation of the system. A prison officer who is called in to replace an absent rostered officer receives double time. Rostered work on Saturdays attracts a 50 per cent penalty and Sundays 100 per cent. Afternoon and night shifts have a 15 per cent penalty.

There are, the Committee was told, an average of 6.6 officers on sick leave every day of the year. The former Controller of Prisons put it quite bluntly to the Committee when he said 'There is — to use a colloquialism — a great deal of bludging going on amongst the uniformed staff and I regret that I must say that'. As will be seen above, the worst paid shift is the day shift, and yet this is the most arduous. It was stated in evidence that there are sometimes half a dozen and have been as many as eight absent from the day shift, out of thirty-two or thirty-three. The point being made is well explained by the table below.

From the table it can be seen that, using night shift as a base, almost twice as much sick leave is recorded on afternoon shifts and almost three times as much sick leave occurs on day shift.

The Committee found that holders of the most senior uniformed positions, which involve mainly day work, are paid less in total than some of the officers they control. As a result we were told that the better officers are becoming reluctant to accept promotion. This is understandable as they would be losing overtime money.

PRISONS DEPARTMENT

Sick Leave Taken by Shift Workers According to Shift

Month	<i>Day Shifts (i.e. shifts commencing between 6.00 a.m. and 9.30 a.m.)</i>	<i>Afternoon Shift (2.00 p.m. to 10.00 p.m.)</i>	<i>Night Shift (10.00 p.m. to 6.00 a.m.)</i>
1980-81			
July	48	16	1
August	54	10	3
September	54	10	5
October	42	17	5
November	53	6	6
December	53	10	11
1980-81			
January	43	11	5
February	38	8	7
March	62	11	4
April	63	12
May	58	11	6
June	54	12	6
TOTAL	662	134	59
Ratio of incidence between shifts	10-54	2-27	1

DISTRIBUTION OF DAILY MANNING BY SHIFTS

No. of rostered officers	51	16	13
Ratio of manning levels on each shift	3-92	1-23	1

Note: These figures represent sick leave periods taken from day commenced, not days off. Some periods could be for one day, some could include more than one day. Leave Record Cards do not record shifts worked so the details have been extracted from information most readily available.

The Committee's attitude to the problems outlined in this report is that the present sick leave regulations and penalty provisions *taken together* are not working in this special case of a twenty-four hour essential service with a large personnel. We recommend that the Public Service Board examine the whole matter urgently. A new approach is essential if there is to be any real improvement. In the opinion of the Committee the problem has been that what works for public service employment generally is less appropriate for the prison service.

It will be important to find out what the prison officers themselves think. To illustrate this, a few quotes from the evidence taken from three of them is given:

Question: You have had thirty-eight days off work. Do you think that the job is getting at you?

Officer A: I believe that everybody who works for a certain number of years in an institution like the prison will go through a period where the tension gets too high and he has to be out of the place for a certain time. But I would not say that the job gets at me; the amount of time I spend at the prison indicates clearly that I can handle the job. I believe that everybody who works there for a certain amount of time will get this build-up of tension and stress because it has to be realised that it is not just an everyday job, like an office job or an outside job. A person is locked in there for eight hours a day and is subjected to a great deal of abuse during that day and it is not just one day, but day after day, year after year . . . I believe that if the holiday periods the officers in the prison get could be split up in, say, two, they would only have to work five or six months and look forward to three or four weeks off. I would think that would help quite considerably.

- Question:** We are investigating overtime and the way the salaries are being made up at the prison. We note that in your case, in the last year you have had an infected foot; migraine, stomach cramps; an investigation of the stomach pain; stomach cramps again; and then again; flu; bronchitis, and bronchitis again; flu; food poisoning; a sprained knee; flu again and again; a bruised tailbone; diarrhoea; a medical condition — I do not know what this is; a pinched nerve twice, a migraine headache, a pinched nerve in the back, twice; flu again, a gastro; nose bleed; dysentery; gastroenteritis; flu; vomiting and diarrhoea; severe headache; tonsillitis; swollen glands. I also notice that you have had six medical certificates. Could you explain why you are so sick?
- Officer B:** I have also had quite a few personal problems . . . I have had to take a lot of time off in the last two years. I have just had a bad run.
- Question:** There are very few entries here really which refer to mental stress. Mostly is is just one day off here and two days off there. It is not as if you have had a continuous period of mental strain. It seems rather that minor complaints are listed. But it has built up, as I say, to a month a year.
- Officer B:** I did not realise it was as much, with one day here and there; but now that I know —
- Question:** But the question is really one of: should you be in the job if your health is so bad?
- Officer B:** Well, it is not all that bad, is it?
- Question:** Do you feel you are getting over your problems?
- Officer B:** Yes, I am as good as gold now.
- Question:** If I can recap, what you are really saying is that most of these illnesses could come under the heading of some nervous disability or something. These are only the physical manifestations of a nervous problem; for example, the flu.
- Officer B:** Oh no, I have genuinely had the flu; I am susceptible to catching the flu.
- Question:** You certainly are; you have had nine goes in the last eighteen months. You should be damn near immune now.
- Question:** Are you really being fair dinkum with us or are these days just ones you have had other problems which you just had to sort out?
- Officer B:** Those days off have mainly been because of problems I have had to sort out; but a lot of those days off have been through feeling sick.
- Question:** I feel crook a lot of days but I still have to work. If you were the boss of a business or something like that and your employees treated you the same way, what would you think?
- Officer B:** I would not be very happy about it.
- Question:** Do you reckon it is really a fair go to have a system of sick leave — and obviously you are not doing anything wrong under the award but it seems to be that the award has swung from one direction to the other — that is absolutely ridiculous because one can simply take a day off here and a day off there when one feels like it?
- Officer B:** The problem I can see with it is that being allowed to have five days without a certificate makes it easier if one wakes up in the morning feeling crook. If one had to go to the doctor and get a certificate for the day one was going to have off, it would probably prevent a lot of that. One wakes up in the morning feeling off colour and simply goes to the phone, rings up and says 'I am not feeling well, I will not come in', but if he had to go to the doctor and get a certificate, which will cost \$11 as well, and then ring up to have the day off it would help prevent many of the problems.
- Question:** What would be your opinion of, say, a higher basic salary and chopping down on the sick-leave provisions?
- Officer B:** That would be great.
- Officer C:** They could be reimbursed for the sick pay they lose. For the first three years, the Government allows us thirty days. When the three years is up it takes the remaining sickies off us and gives us another thirty days for the next two years. If we were reimbursed for the days the Government takes off us, if it were only \$5 a day, I think the majority would be interested . . . It is only a suggestion. Or take the man on day work off day work and put them on 6-2 and 2-10. There is the spare man; the automatic answer. As it is now, there are far too many walking around on day work.

Officers A and C are well thought of by the Prison authorities. They are mature men who have given long service. Officer B, in his twenties, was questioned in December 1981. He was selected on the basis of having had thirty-four days sick leave in 1980-81. The Committee subsequently learned that he had forty-eight days sick leave in 1981-82 and twenty-three in 1982-83 to May 1983. The dates of these absences were 15 July 1982 (six days), 4 August (one), 17 August (one), 23 September (four), 1 October (one), 27 October (2), 26 December (one), 19 January 1983 (three), 1 April (one), 18 April (one), 5 May (two).

The Committee regards Officer B as an obvious malingerer. Unemployment is such and the demand for prison work so high that the Public Service Board should take appropriate disciplinary action. Any additional powers it needs to deal with this type of thing should be granted by Parliament, without reducing the provisions for genuine cases.

Committee Room No. 3
Parliament House, Hobart
8 September 1983

M.T.C. BARNARD, Chairman.