

make the then existing rates fixed sums, which remained unchanged since 1 April, 1988 as follows -

	<u>Navigation Allowance</u>	<u>Engineering Allowance</u>
1st Class	\$683	\$410
2nd Class	\$546	\$328
3rd Class	\$205	\$205
Marine Police Efficiency Certificate (applies only to the Police Force)		\$246

6.112 Between September and November, 1989, we received three submissions requesting a review of the payment of EDADS (Marine) from -

- (a) the Commissioner of Customs and Excise and the Director of Fire Services, who requested that the rates of allowance should be linked to GDS(R) point 1; the former proposed linking at the same percentages as they were linked to point 1 of the Master Pay Scale before the Rennie Committee review and the latter at percentages that would have produced the same rates of allowances in 1988; and
- (b) the Commissioner of Police, who proposed that the eligibility criteria for these allowances should follow the adopted principles on job-related allowances, and suggested different rates of allowance, including a new command allowance, at the rate of 5% of the GDS(R) point 1, payable to officers in overall command of a launch. The Commissioner also proposed that before the new rates would take effect, interim enhanced rates should be paid to take account of the annual salary revision of 1 April, 1989.

6.113 We visited the Marine Police Training School on 6 January, 1990 and were briefed on the various aspects of training given to officers deployed in the Marine Region of the Force. We also visited the Marine South Divisional Headquarters at Aberdeen and spent several hours on patrol when we were able to discuss marine police duties with the officers concerned, particularly those officers on sea patrol duties.

6.114 In examining the submissions, we discovered problems on points of principle and practice and we found that certain practices were at variance with our established principles on job-related allowances. We considered that, since the allowances are related to the duties and skills required of disciplined service staff on board departmental vessels, EDADS (Marine) should not be treated as a qualification allowance; it should be regarded as a job-related allowance and be subject to our established principles on job-related allowances.

6.115 We were informed that the existing rates for the First and Second Class Navigation Allowances were higher than those for the Engineering Allowance because a command element had been incorporated into the Navigation Allowance for the holders of First Class and Second Class Certificates of Navigation in recognition of the command responsibility of the coxswain of a launch. We noted, however, that there might be as many as five or six holders of such certificates on a launch. Under maritime law and also for operational reasons, there can be only one person in command of a vessel at any one time. We considered that the existing practice of including this important responsibility in the rates for all holders of First Class and Second Class Navigation Certificates, regardless of whether they were actually bearing such a responsibility, was wrong in principle.

6.116 Under the law, the Master of a ship is held responsible for the safety of the vessel and all its passengers and crew. The Director of Marine advised that it is the practice in the merchant navy that deck officers and engineers holding comparable grades of qualifications receive similar salaries, but the Master receives a higher salary than the Chief Engineer. The Master is obviously not on duty at all times, yet he is responsible for the vessel and accountable for its safety. Despite the fact that there are other watch commanders at times when the Master is resting or attending to other duties, ultimate responsibility rests with the Master. On this basis, we considered it logical that only one commander of a vessel should be recompensed for the additional responsibility he bears, and that it would be inappropriate to compensate every officer in possession of a First or Second Class Navigation Certificate on a vessel for the command responsibility.

6.117 We considered that the command element should be removed from the existing rates of the First and Second Class Navigation Allowances. A Command Allowance should be paid to only one officer designated to be the commander of a vessel at any one time. Furthermore, there should be a common rate of allowance for comparable levels of navigation and engineering skills.

6.118 We considered that the rates of the allowances should be set having regard to -

- (a) the current fixed rates of the various classes of the allowance set by the Rennie Committee in 1988 and their relationship with the then GDS(R) point 1;
- (b) the need to maintain meaningful differentials between the various levels of the allowance so as to provide adequate incentive for officers to acquire higher qualifications for future manpower and operational planning purposes;

- (c) the need for the rates of Engineering Allowance to be increased to reflect the higher skills required in the operation of modern and sophisticated vessels;
- (d) the removal of the command element from the Navigation Allowance; and
- (e) the need to equate the rates for the engineering stream with those for the navigation stream.

6.119 We advised the Governor in July, 1990 that -

- (a) EDADS (Marine) should be paid to officers who are required to exercise the extra skills in their job regularly in addition to their normal duties;
- (b) the allowance should be paid only to officers on PPS Point 49* or GDS(O) Point 29* and below;
- (c) the payment of the allowance should be related to the skill required of the officer and not the level of qualification the officer has acquired;
- (d) the payment of both the Navigation and Engineering Allowances to the same officer should only be allowed if he/she is required to exercise both navigation and engineering skills on a regular basis;
- (e) the command element should be removed from the First and Second Class Navigation Allowances and the rates of the Navigation Allowance should be correspondingly adjusted;
- (f) a Command Allowance should be introduced to recognise the command responsibility of the commander of the vessel;
- (g) the rates of the Engineering Allowance should be brought into line with those for the navigation stream;
- (h) the allowance should be linked to point 1 of the GDS(R) Pay Scale;
- (i) the rates of the allowance should be -

* The pay points were adjusted to PPS 47 and GDS(O) 31 as a result of the renumbering of the Police Pay Scale on 1 October, 1989 following the introduction of new education benchmarks and a pay revision to Officer ranks on 1 October, 1990.

Qualification	% of GDS(R)1
Certificate of Navigation/Engineering	
1st Class	13%
2nd Class	10%
3rd Class	5%
Marine Police Efficiency Certificate	6%
Command Allowance	5%

- (j) the Administration, in conjunction with the Commissioner of Customs and Excise, the Commissioner of Police and the Director of Fire Services, should examine and agree upon the skills required to operate their vessels and establish a list of designated posts whose incumbents would be eligible for the allowance.

6.120 Since our proposed new eligibility criteria would result in some officers losing out financially, we advised that all officers who would cease to be eligible for the allowance or who would have their allowance reduced due to the revised eligibility criteria, should be allowed to continue to draw the allowances at the old rates until the value of their take-home pay (salary plus allowance) is matched by their revised salary plus the revised allowance as a result of subsequent salary increases (annual pay adjustments, increments or salary revisions). However, eligibility for the allowance should cease with immediate effect if the officers concerned are transferred to other postings.

6.121 We advised that officers with salaries above PPS 49* or GDS(0) 29* who were receiving the allowances but would cease due to the revised eligibility criteria, should continue to do so at the old rates until such time when the value of their take-home pay (salary plus fixed allowance) is matched by their revised salary as a result of subsequent salary increases.

6.122 We advised that the revised rates should take effect from a current date and that there should be no interim adjustment of the rates of the allowance.

6.123 The disciplined services were informed of our advice to the Governor in August, 1990.

* The pay points were adjusted to PPS 47 and GDS(0) 31 as a result of the renumbering of the Police Pay Scale on 1 October, 1989 following the introduction of new education benchmark and a pay revision to Officer ranks on 1 October, 1990.

**Vietnamese Language Allowance
for Correctional Services Staff**

6.124 In November, 1989, the Commissioner of Correctional Services submitted a request to us for the payment of a Vietnamese language allowance at a monthly rate of 5% of point 1 of GDS(R) to Correctional Services staff who had successfully completed a Vietnamese language course organised by the Civil Service Training Centre and who were working in VBP detention centres.

6.125 In support of his proposal, the Commissioner emphasised that the ability of staff to speak and understand the Vietnamese language would enhance their effectiveness in managing the centres. The Commissioner pointed out that learning to speak some Vietnamese is not a condition of employment, and he, therefore, considered that a Language Allowance should be paid to staff in line with the spirit and principle of the Dialect Allowance as stipulated in CSR 705.

6.126 We examined the duties and responsibilities of Correctional Services staff working in VBP detention centres. We did not agree that it is necessary for staff to speak some Vietnamese when they are engaged in the management and operation of VBP detention centres. We noted that the ability to speak some Vietnamese is not a job requirement for the staff concerned; it has not been laid down in their job description; and out of the 1,316 Correctional Services staff working in the VBP detention centres, only 416 (32%) had received basic Vietnamese language training. We were not satisfied, therefore, that it is necessary for the staff concerned to acquire basic spoken Vietnamese language skills before they could discharge their duties effectively.

6.127 We accepted that the ability to speak some Vietnamese would be of help to Correctional Services staff managing VBP detention centres. However, since the staff concerned gained a basic level of proficiency in the language, it is not unexpected that their use of the Vietnamese language would be confined to simple instructions and requests; they would be unlikely to be able to act as mediators or counsellors.

6.128 We were informed that the staff concerned were not tested at the end of the Vietnamese language course and concluded that the standard of proficiency attained was in doubt. We noted that as at 1 December, 1990, 59 temporary Vietnamese Interpreters were employed by the Department. In addition, Vietnamese hall representatives who could speak English are also available to assist in interpreting and translating discussions between Vietnamese Boat People and Chinese/English-speaking Correctional Services staff. We were not satisfied, therefore, that Correctional Services staff are required to be deployed wholly or partly on interpretation duties, which is a prerequisite for the

payment of a Dialect Allowance under CSR 705. Accordingly, we considered that the case for the payment of an allowance could not be justified. Furthermore, having regard to the Administration's general practice of not awarding language bonuses or allowances, we considered the payment of a language allowance in this case to be unjustified.

6.129 We advised the Governor in February, 1991 that the Commissioner's request should not be supported. The Commissioner was informed of our advice to the Governor in March, 1991.