



CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 3 OF 2009

FIRST AID ALLOWANCE AND PUBLIC SECTOR EMPLOYEE LIABILITY

First aid allowances have been a feature of a number of public sector wages awards and agreements for some years. A first aid allowance was recently incorporated into all General Agreements for Salaried Officers covered by the Civil Service Association (the CSA General Agreements).

A number of agencies have sought clarification on the liability implications for employees when accepting appointment as a first aid officer and receiving payment in accordance with the terms specified in the CSA General Agreements.

Indemnity for employees accepting an appointment under the CSA General Agreements and those who have had access to first aid allowance payments in other agreements continues to be covered by the "Guidelines relevant to Ministers and Officers involved in Legal Proceedings," (the Guidelines) tabled in Parliament on 10 July 1990.

The Guidelines are available at:

http://www.dpc.wa.gov.au/documents/guidelines_legal_proceedings.pdf

**BOB HORSTMAN
A/EXECUTIVE DIRECTOR
LABOUR RELATIONS**

11 May 2009

Public Sector Management Act

Part 8 — Miscellaneous

106. Immunity

An action shall not be brought or maintained against any person who is or has been —

- (a) the Commissioner, the Minister, a responsible authority, a political office holder, an employing authority, a delegate or an employee within the meaning of this Act; or
- (b) the Commissioner, a delegate or subdelegate or a member of the Public Service within the meaning of the repealed Act,

in respect of anything done or omitted to be done by or on behalf of that person in his or her official capacity under or for the purposes, or apparently under or for the purposes, of this Act or the repealed Act, as the case requires.