



Loss or damage to clothing or personal effects

Background

1. Employees may be reimbursed for loss or damage to clothing or personal effects arising out of or in the course of their employment.

When reimbursement may occur

2. Employees may be reimbursed where the loss or damage:
 - a. occurred while the employee was protecting or endeavouring to protect the property of the Commonwealth from loss or damage;
 - b. was caused by a fault or defect in property belonging to the Commonwealth;
 - c. resulted from an act or omission by another person employed by the Commonwealth;
or
 - d. occurred in circumstances which could reasonably be regarded as resulting from the employee's employment.
3. Compensation for loss or damage will not be paid where a lost item is not replaced or a damaged item is not repaired. A damaged item that cannot be repaired or is more costly to repair than replace (taking depreciation into account) will be treated as lost for the purposes of this guideline.
4. Subject to paragraph 1, other than in exceptional circumstances, loss or damage which occurs between home and the place of work or during an employee's meal break will not be reimbursed.

What constitutes personal effects?

5. Personal effects include items normally worn or used by an employee in day-to-day work. Examples are: brief case, handbag, wallet, watch, hand luggage, suitcase, jewellery, personal music device, camera, mobile phone, tablet computer, pen and spectacles.

6. Money will not be replaced.

Obligation of Employees to exercise care

7. Employees are to take reasonable steps to avoid loss or damage to their clothing or personal effects and are discouraged from leaving items at the workplace outside of working hours unless they can be adequately secured.
8. Reimbursement for loss or damage will not be made unless the employee:
 - a. took reasonable precautions to avoid the loss or damage;
 - b. could not reasonably have been expected to have insured themselves against the loss/damage; and
 - c. could not reasonably have been expected to take proceedings for recovery of the loss or damage from a person who may be liable for the loss or damage.
9. Reimbursement for loss or damage will not be made:
 - a. if an employee accidentally misplaces, drops or otherwise damages an item;
 - b. if the employee has received or is entitled to receive a payment from an insurance company in respect of the lost or damaged item;
 - c. if the employee has received or is entitled to receive, restitution from a person or organisation liable for the loss or damage; or
 - d. at any time after proceedings have been instituted by the employee against a person who may be liable for the loss or damage and before those proceedings have been concluded.
10. If the employee receives compensation from an insurance company or other party after reimbursement has been made, the Department will recover its reimbursement in accordance with clause 28 of the Enterprise Agreement. Where the compensation is less than the reimbursement, the Department will recover an amount equal to the compensation.

Process

11. Claims for loss or damage must be submitted on the form provided by the Department available on the Ministerial and Parliamentary Services website and must be endorsed by the employing Member. The claim must be forwarded to the Department accompanied by:
 - a. a statement describing the circumstances in which the loss or damage occurred and where applicable, why repair is or is not feasible. Where the claim in respect of the lost or damaged item exceeds \$200, this statement must be in the form of a Statutory Declaration; and

- b. evidence of the age and value and/or replacement value of the lost or damaged item, such as receipts of purchase or a Statutory Declaration.
12. Claims will be paid on a reimbursement basis only. Accordingly evidence of replacement or repair in the form of a tax invoice and receipt must be provided.
 13. The Department will reimburse up to a maximum of \$1,000 for the loss or repair of an item, subject to paragraph 11.
 14. The Department will take the evidence of the value and, where applicable, the replacement value, of the lost or damaged item into account when deciding the amount to be reimbursed. The Department will depreciate the value of the lost or damaged item evenly over a period, hence the claim must include evidence of the age of the item. The Department will consider reasonable depreciation periods as follows:
 - a. clothes – 4 years;
 - b. personal accessories including watches and wallets – 3 years;
 - c. electrical goods including mobile phones and laptops – 2 years.