

Breakages and Loss



Employees may or may not be liable for breakages or loss of property.

Liability

Provided that the Employee has taken reasonable care, an Employee will not be liable for any breakages or loss of property which occurs in the normal course of that Employee's duties.

Example – Not Liable

A teacher is carrying school resources, including a laptop computer, to a classroom. Whilst walking down a busy corridor, a student accidentally bumps into the teacher, causing the teacher to drop all resources onto the floor. Subsequently, the laptop computer is damaged and will no longer operate.

As the damage occurred during the normal course of events, the employee will not be liable for costs.

Example –Liable

A teacher has taken a laptop computer home during the school holidays. During this time, the teacher drops the laptop computer onto the floor, causing significant damage to the computer.

As the damage occurred outside of the normal course of events, the employee will be liable for costs.

References

- *Victorian Catholic Education Multi Enterprise Agreement 2013* (clause 45)