

EXPLANATORY STATEMENT

Instrument No. 81 of 2000

DETERMINATION MADE UNDER SECTION 11(2) OF THE *Legislative Assembly (Members' Staff) Act 1989*

TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF MEMBERS

Legislative Context

The *Legislative Assembly (Members' Staff) Act 1989* ("the Act") provides for the employment of staff by Members of the Legislative Assembly. Section 10; subsection 10(1) of the Act gives the authority for Members to employ staff. Section 11; subsection 11(2) of the Act provides for the Chief Minister to determine in writing the terms and conditions of employment of staff of Members.

Outline

This Determination varies the terms and conditions of staff of Members as previously determined in Determination Number 77 of 1999, relating to 'new' contract staff.

This Determination provides for staff employed under the *Legislative Assembly (Members' Staff) Act 1989* to request a lump sum payment in lieu of accrued annual leave credits, to be met from within the Member's existing budget allocation and subject to the written agreement of the employing Member.

This Determination provides for changes to the severance benefits of employees which are designed to better reflect length of service, and to more closely align the benefits with comparable arrangements in other parliaments and permanent officers of the ACTPS under the *Redeployment and Retirement (Redundancy) Award 1987* ("the RRR Award").

The Determination also makes a minor technical change to paragraph 11 of Schedule 2 regarding the recognition of prior Australian parliamentary service which has no adverse impact on the entitlements of employees.

Schedule 2 provides for the following changes in employment conditions:

Conditions of Employment

Recreation/Annual Leave

Paragraph 10(b) of Schedule 2 to the Determination varies annual leave provisions to provide greater flexibility in relation to the utilisation of accrued annual leave credits.

Severance Benefits

Paragraph 7(a) of Schedule 2 to the Determination varies severance benefits to better reflect length of service and payments under the RRR Award.

Attachment

The Attachment to Schedule 2, the *Legislative Assembly (Member's Staff) Employment Contract*, has been varied to correct a minor technical error. This technical change is not intended to affect the conditions of employees beyond those changes set out above.

Schedule to the Attachment

The Schedule to the Attachment has also been varied to correct a minor technical error. This technical change is not intended to affect the conditions of employees beyond those changes set out above.