



Legislative Assembly (Members' Staff) Act 1989

INSTRUMENT NO. 77 of 2000

**TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF
OF OFFICE-HOLDERS PURSUANT TO SECTION 6(2)**

Under Section 6; sub section 6(2) of the *Legislative Assembly (Member's Staff) Act 1989* ("the Act") I vary Determination Number 196 of 1997 approved by me and dated 16 August 1997 by revoking Schedule 1 and substituting the Schedule 1 to this Determination.

Dated this Twenty-Sixth day of February 2000

Kate Carnell MLA
Chief Minister

Schedule to Instrument No. 77 of 2000

SCHEDULE 1

Terms and Conditions of Employment – Staff of Office-Holders

(1) Salary

- (a) The employee salary will be the salary they were receiving on the first pay period on or after 1 January 1998.

(2) Records of Attendance

- (a) Employees are required to keep a record of their attendance in a form agreed with the relevant Office-Holder.

(3) Severance Benefits

- (a) An employee whose employment is terminated other than through resignation or for an offence which in the view of the Chief Minister, or a person authorised by the Chief Minister for this purpose, would have led to dismissal is entitled to be paid:
- (i) a sum equal to four (4) weeks' salary irrespective of length of service; plus
 - (ii) a sum equal to two (2) weeks' salary for each completed year of continuous service, plus a pro-rata payment for additional completed months of service, up to a maximum of forty eight (48) weeks' salary.
- (b) The severance benefits set out in paragraph 3(a) shall not be payable to employees:
- (i) who are covered by the mobility provisions of Part IV of the *Public Service Act 1922* (Cwlth);
 - (ii) who are taken to be on leave without pay from the Australian Capital Territory Public Service; or
 - (iii) who are engaged for fixed periods to fill a vacancy caused by a staff member being absent on leave, or to fill a substantive vacancy pending a permanent appointment.
- (c) A person who receives severance benefits under this provision and is subsequently re-employed under the Act, shall repay to the employer the severance benefit received to the extent that their re-employment covers the same period of time as their severance benefit.

For example, where a person's employment is terminated under this provision and is entitled to severance benefits equal to 10 weeks gross annual salary but is subsequently re-employed 8 weeks after termination then the amount of severance benefit repayable under this provision would be severance benefits equal to 2 weeks gross annual salary.

(4) Senior Officer Grade A, B, and C - ACTPS Equivalent

- (a) The terms and conditions of employment of a person employed under Part II of the Act are those applicable to an equivalent officer performing the duties of a Senior Officer Grade A, B or C classification in the A.C.T. Public Service.

(5) Senior Officer Allowance

- (a) A person holding a position having a classification listed in Column 1 below shall, in addition to other terms and conditions of employment, be entitled to an annual allowance listed in Column 2 below that corresponds to that classification.

<i>Column 1</i> <i>Classification</i>	<i>Column 2</i> <i>Annual Allowance</i>
Senior Officer Grade A	\$1583 pa
Senior Public Affairs Officer Grade 2	\$1583 pa
Senior Officer Grade B	\$1483 pa
Senior Public Affairs Officer Grade 1	\$1483 pa
Public Affairs Officer Grade 3 (2 nd and 3 rd Increments)	\$1483 pa
Senior Officer Grade C	\$790 pa
Public Affairs Officer Grade 3 (1 st Increment)	\$790 pa

(6) Part Time Employment

- (a) A person employed to work on a part-time basis where the hours of work are less than 24 hours per week may elect;
- (i) to work under the terms and conditions set out in Standard 13, Chapter 1, Rule 4 of the Public Sector Management Standards; or
 - (ii) that the terms and conditions of Standard 13, Chapter 1, Rule 4 of the Public Sector Management Standards do not apply but there shall be an entitlement to all classes of leave, and payments in lieu of leave, calculated pro-rata having regard to their required hours of work.