



Legislative Assembly (Members' Staff) Act 1989

INSTRUMENT NO. 80 of 2000

**TERMS AND CONDITIONS OF EMPLOYMENT OF STAFF OF MEMBERS
PURSUANT TO SECTION 11(2)**

Under Section 11; sub section 11(2) of the *Legislative Assembly (Member's Staff) Act 1989* ("the Act") I vary Determination Number 198 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. 80 of 2000

SCHEDULE 1

Terms and Conditions of Employment – Staff of Members

(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 Member.

(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.
 - (iv)
- (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 III 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.