

NORTHERN TERRITORY OF AUSTRALIA

*Public Sector Employment and Management Act 1993*

**DETERMINATION NUMBER 1055 OF 2024**

OVERTIME AND TIME OFF IN LIEU – Department of Corporate and Digital Development

I, Nicole Hurwood, Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 13(a) of that Act, determine that:

1. Employees employed within the Department of Corporate and Digital Development (DCDD) at the Administrative Officer 7 (AO7), Senior Administrative Officer 1 (SAO1) or Senior Administrative Officer 2 (SAO2) level shall be entitled to payment of overtime and time off in lieu (TOIL) arrangements in accordance with clauses 59 (Additional Hours & Overtime) and 60 (Time Off In Lieu of Overtime Payment) of the *Northern Territory Public Sector 2021 – 2025 Enterprise Agreement* provided that:
  - (a) work performed is undertaken as extra duties required to facilitate Machinery of Government changes;
  - (b) TOIL or other flexible work arrangements are unavailable or unable to be used, overtime payments may be authorised;
  - (c) all additional hours performed are approved in advance by the Chief Executive Officer, DCDD or delegate, as applicable; and
  - (d) the payment of overtime shall be at the employee's actual classification.
2. This Determination takes effect on the date that it is signed.
3. In respect to employees covered by paragraph 1, an employee who was employed on the date this determination was approved and who worked between 10 September 2024 and the day immediately before this Determination (the transitional period) is entitled to be paid an amount that is equal to the difference between:
  - a) the amounts already received, or purportedly received, in return for work performed during the transitional period, and
  - b) the amount they would have been entitled to be paid during the transitional period if the entitlement set out in paragraph 1 had come into operation on 10 September 2024.
4. This Determination shall cease to have effect as of midnight 31 January 2025, unless revoked earlier.

Dated: 22 November 2024



Nicole Hurwood  
Commissioner for Public Employment