I, JOHN DOUGLAS KIRWAN, the Commissioner for Public Employment, in pursuance of section 14(2) of the Public Sector Employment and Management Act (the Act), make the following Determination:

In pursuance with section 13(a) of the Act, I determine that “Aboriginal Interpreter” is a designation of the Public Sector for the performance of duties within the Office of Aboriginal Development.

In pursuance of section 34(1)(b) of the Act, I determine that the duties of “Aboriginal Interpreter” may only be performed on an appointment for a fixed period by a person appointed on a temporary basis under section 29 of the Act and known as a Casual Employee.

In pursuance of section 34(3) of the Act, I specify that a person may be employed to perform the duties of Aboriginal Interpreter for a period not exceeding 5 years.

In pursuance of section 34(4) of the Act, I determine that the terms and conditions of employment of an Aboriginal Interpreter are as follows:

1. In this determination, unless otherwise stated or the context otherwise indicates, “Casual Employee” means a person employed under section 29 of the Act as a temporary employee who is:

   (a) employed and paid by the hour, or where engaged to perform duties for a half day or full day, employed and paid at the half day or full day rate as specified in clause 2 of this determination;
   (b) the employment may or may not be regular or fixed days or at fixed hours;
   (c) the person works only when required by the employer;
   (d) there is no continuing contract of employment with the employer requiring the person to work on a subsequent occasion at a specified time; and
   (e) the time of ceasing employment may be stipulated at the time of engagement, or on at least one hour’s notice of termination being given.
2. Subject to clause 3 of this determination, an Aboriginal Interpreter employed as a Casual Employee will be paid the following remuneration rates:

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-specialist interpreting</td>
<td></td>
</tr>
<tr>
<td>Monday to Friday</td>
<td>$20.60 per hour</td>
</tr>
<tr>
<td>Non-specialist interpreting</td>
<td></td>
</tr>
<tr>
<td>Saturday, Sunday, Public Holidays and After Hours</td>
<td>$32.75 per hour</td>
</tr>
<tr>
<td>Specialist Interpreting</td>
<td></td>
</tr>
<tr>
<td>Half day rate</td>
<td>$154.50</td>
</tr>
<tr>
<td>Specialist Interpreting</td>
<td></td>
</tr>
<tr>
<td>Full day rate</td>
<td>$309.00</td>
</tr>
</tbody>
</table>

3. Remuneration paid under clause 2 of this determination is subject to the following conditions:

(a) An Aboriginal Interpreter performing Non-specialist interpreting will receive a minimum payment of 2 hours for each engagement;

(b) The Chief Executive Officer will determine the specific payment applicable to an Aboriginal Interpreter for each specific engagement.

4. In accordance with Regulation 5 of the Public Sector Employment and Management Regulations, Parts 7 and 8 and sections 57 and 58 of the Act do not apply to, or in relation to, an Aboriginal Interpreter employed on a temporary basis as a Casual Employee.

5. The Public Sector Employment and Management By-laws do not apply to a Casual Employee.

6. All Employment Instructions issued by the Commissioner for Public Employment pursuant to section 16 of the Act apply to a Casual Employee with the exception of:

(a) Employment Instruction Number 5 – Medical Incapacity
(b) Employment Instruction Number 6 – Inability to Discharge Duties
(c) Employment instruction Number 7 – Discipline
7. A Casual Employee will not:
   (a) accrue or be entitled to utilise any paid leave;
   (b) be eligible for incremental adjustment to their salary; or
   (c) receive payment for public holidays not worked.

8. The remuneration rates contained in Clause 2 shall be adjusted in accordance with the general salary percentage increases applicable to Administrative Officers.

9. This Determination shall have effect as if it had been signed 12 September 2002.

Dated 2003.

(Original signed 10 March 2003)

JOHN KIRWAN
Commissioner for Public Employment