

NORTHERN TERRITORY OF AUSTRALIA

*Public Sector Employment and Management Act 1993***PUBLIC SECTOR INSTRUMENT 1159 of 2023**

Transition Period – Fixed Period Contract Employment

I, JOANNE NORTON, Acting Commissioner for Public Employment, pursuant to sections 14 and 30(1)(b) of the *Public Sector Employment and Management Act 1993* ('the Act') and with reference to section 42 of the *Interpretation Act 1978*, as an interim arrangement to facilitate the management of fixed term contracts that are not covered by an exception in section 333F of the *Fair Work Act 2009* (Cth):

1. Approve the Chief Executive Officer of an agency to select without advertising an employee for employment on an ongoing basis, subject to the following conditions:
 - (a) the employee has been employed on a fixed period contract:
 - (i) for more than 2 years, or
 - (ii) on consecutive contracts that total more than 2 years;
 - (iii) or 2 consecutive contracts; and
 - (iv) if (ii) or (iii) applies the consecutive contracts were in the same or substantially similar roles;
 - (b) the employee's current contract is due to expire within six (6) months of the date of this Instrument;
 - (c) there is work required to be undertaken by the employee;
 - (d) the employee meets the Chief Executive Officer's performance expectations; and
2. Under section 30(2) of the Act, direct that the employment for which approval is given under paragraph 1 above is not required to be notified on the Careers In Government, Employment Opportunities site.

Dated / December 2023



ADJ. PROFESSOR JOANNE NORTON
Acting Commissioner for Public Employment