

## NORTHERN TERRITORY OF AUSTRALIA

*Public Sector Employment and Management Act***DETERMINATION NUMBER 19 OF 2011**PAY PROGRESSION PROCESS FOR SENIOR PORT ADMINISTRATION  
OFFICERS AND SENIOR PORT PROFESSIONAL OFFICERS

I, GRAHAM DOUGLAS SYMONS, the Commissioner for Public Employment, in pursuance of section 14(2) of the *Public Sector Employment and Management Act*, with reference to section 13(a) of that Act, determine that:

1. annual pay progression for employee's employed in the Senior Port Administrative Officer 1, Senior Port Administrative Officer 2, Senior port Professional Officer 1 and Senior Professional Officer 2 classifications, should be in accordance with Schedule 1 to this Determination; and
2. this Determination shall take effect from the **commencement date** of the Darwin Port Corporation (Northern Territory Public Sector) 2011 – 2014 Enterprise Agreement as determined by Fair Work Australia.

Dated: 9 December 2011



GRAHAM SYMONS  
Commissioner for Public Employment

## SCHEDULE 1

### SENIOR CLASSIFICATION STRUCTURE - PAY PROGRESSION PROCESS

#### 1. Purpose

This Schedule sets out the process and criteria that establishes pay progression for Senior Port Administrative Officer 1, Senior Port Administrative Officer 2, Senior Port Professional 1 and Senior Port Professional 2 (hereinafter referred to as Senior Classifications) and it is to be underpinned by the existing performance management process.

#### 2. Principles

Performance management is part of a system managing employee performance in the NTPS and is embedded in the Public Sector Employment and Management Act (PSEMA). Employment Instruction 4, Performance Management (as varied from time to time) sets out the minimum requirements for the development and implementation of performance management systems and processes in agencies. Performance management is the process of identifying, evaluating and developing the work performance of employees so that the agency's goals and objectives are more effectively achieved. Assessments for pay progression for Senior Classification are in addition to the primary objectives of performance management.

Annual pay progressions for Senior Classifications are subject to assessment against performance progression criteria.

#### 3. Process for Assessment

Agencies are to implement a process for assessing an employee for annual progression to the next performance pay point that includes:

1. a process of performance management under the provisions of Employment Instruction 4, Performance Management (as varied) including the development of a performance agreement to cover a 12 month period; and
2. an invitation from the immediate supervisor or other appropriate officer to an eligible employee to make a submission against the performance progression criteria at least two months prior to the annual assessment date.

For employees employed prior to the commencement date of this determination, the performance management process is to be implemented within two months of this date and for employees employed after the commencement date, within two months of commencement of employment in the agency.

#### 4. Annual Assessment Date

The annual assessment date confirms the end of the 12 month performance management period which is agreed to in the performance agreement. Approved progression to the next pay point is effective from the annual assessment date.

#### 5. Eligibility for Progression

Participation in the pay progression scheme is not mandatory; however, an employee seeking pay progression must participate in performance management and make a submission against the progression criteria in advance of the annual assessment date.

Employees employed in a Senior Classification at the commencement date of this determination will be eligible to seek progression to the next performance pay point from 12 months after that date, provided that a performance agreement has been in place.

Employees who commence after the commencement date of this determination and participate in performance management will be eligible to seek progression to the next performance pay point after each 12 months service.

## 6. Performance Progression

For an employee to progress to the next available performance pay point in their structure, the employee must demonstrate to the satisfaction of their immediate supervisor, or other person(s) approved by the CEO, that they have met their performance targets (as established under the Employment Instruction 4 process (as varied)) and achieved one or a combination of the following performance progression criteria:

Performance Progression Criteria	Some examples of achieving this criteria
Sustained superior performance (ie. above good performance).	<ul style="list-style-type: none"> <li>• Adding value to achievement of strategic and/or business plans/programs.</li> <li>• Improve partnership arrangements.</li> </ul>
Successful performance of increased duties/responsibilities that are not sufficient to justify an increase in the level of the classification [*].	<ul style="list-style-type: none"> <li>• Achieve over and above agreed targets.</li> <li>• Make a significant personal contribution to identified process or service improvement that benefits the agency.</li> <li>• Identify and implement improvements to operational models or practices.</li> </ul>
Successful undertaking of new projects.	<ul style="list-style-type: none"> <li>• Delivering projects ahead of schedule and below budget.</li> <li>• Special major projects (may be one off).</li> <li>• Play a lead role in project outside immediate sphere of responsibility at a superior level.</li> </ul>
Applied specialist individual expertise resulting in superior outcomes for the agency / clients.	<ul style="list-style-type: none"> <li>• Development of specialist expertise which adds value to the agency/Government.</li> <li>• Develop professional standing as an expert that benefits the agency.</li> <li>• Develop approaches to share 'learning' and knowledge with others that benefits the agency and employees' outputs.</li> <li>• Develop new skills that provide opportunities for enhancing the work outcomes of the agency.</li> </ul>
Successful and sustained performance as a leader.	<ul style="list-style-type: none"> <li>• Significant personal contribution to improved performance of work team through effective people management.</li> <li>• Extended effort to network and be known outside their work area so that an improved profile and reputation benefits the agency.</li> <li>• Identify and develop project and work opportunities for team members.</li> </ul>

[\*] This means the increased duties/responsibilities are not enough to change the work value of the job such that it would be evaluated at a higher level under the JES.

## **7. Recommendation**

Where the employee's immediate supervisor is of the view that the employee has achieved one or more of the progression criteria, the immediate supervisor is to make a recommendation of approval for progression to the supervisor's manager or other appropriate officer(s) (as determined by the CEO).

Where an immediate supervisor does not recommend approval, they are to provide a written reason to the CEO or appropriate officer(s) and advise the employee of the recommendation being made.

## **8. Decision**

The recommendation of the immediate supervisor is to be considered by the supervisor's manager (or other appropriate officer(s) as determined by the CEO) for approval. Where approval is not given, they are to provide a written reason for the decision and provide feedback to assist the employee to understand what may be required to achieve progression.

## **9. Review Principles**

### Where progression is not approved

An employee whose performance is held not to be sufficient to progress to the next performance pay point may request the CEO to review the assessment outcome on the basis of the evidence presented in the original submission or other new information approved by the CEO. The CEO shall complete the review of the assessment outcome within four weeks of receipt of the review request. If that review results in the employee progressing to the next performance point, the progression will be effective from the original annual assessment date.

### Process where there are delays in conducting an assessment

Where there is a delay in assessing an employee's performance for a progression that is not the result of an employee's actions, if the assessment (or review of assessment) results in the employee progressing to the next pay point, the progression will be effective from the original annual assessment date.

### Disputes on the merit of pay progression

For disputes arising in relation to the merits of an assessment against the pay progression criteria an employee may seek a review of the CEO decision under section 59 of PSEMA.

## **9. Effect of Leave Without Pay (that does not count for service) on the Performance Cycle**

All Leave without Pay that does not count as service will postpone the annual assessment date by the same number of days of the leave.

## **10. Effect of other leave on the Performance Cycle**

Periods of ordinary leave are included in the 12 month performance assessment cycle.

Where an extended period of leave (for example, three months) has the effect that the period of actual duty is insufficient at the usual annual assessment date to establish that the employee has met his/her performance targets and achieved one or more of the progression criteria, a new timeframe may be agreed with the immediate supervisor for the employee to make a submission.

If an employee is able to demonstrate they have met his/her performance targets and achieved one or a combination of the progression criteria in the submission in the new timeframe, the annual progression will apply from the revised annual assessment date.

## 11. Transfer

Where an employee has performed part of the 12 month performance management cycle and transfers to another position at the same level, the employee may:

- 1) apply for an assessment earlier than the full 12 months in the new position provided the total in the former and new job combined is at least 12 months; and
- 2) include in their submission for progression, evidence of performing against one or more of the performance progression criteria in the current position and in the previous position.

In such cases, the relevant managers may both be involved in assessing the respective evidence against the performance progression criteria for the respective positions.

## 12. Impact of performing High Duties on Progression

The impact of higher duties on the assessment process will vary from case to case. The principles that are relevant and may apply are:

### Impact on Actual Senior Classification Position

- 1) For progression to occur, an employee must have met his or her performance targets for the preceding 12 months, which may be continuous or in broken periods, and achieve one or more of the performance progression criteria;
- 2) Where employees on higher duties could not be considered as performing all of the duties at the higher level (eg. for short periods of higher duties or partial higher duties situations), unless special circumstances exist these periods should not count towards the 12 month performance management process;

### Impact on Nominal Senior Classification Position

- 3) Subject to 4 and 5, periods of higher duties that count towards the 12 month performance management process will also count towards pay progression at the employees nominal level if this is also at a senior classification level (noting that if it is not a senior classification level it will always count towards the employee's increment);
- 4) If, after 12 months on higher duties the employee is approved for pay progression, that period will also count towards pay progression at the employee's nominal level;
- 5) If, after 12 months on higher duties the employee is not approved for pay progression, that period may count towards progression at the employee's nominal level if it is assessed that it would have satisfied the requirements for progression if applied to the nominal level.