

NORTHERN TERRITORY OF AUSTRALIA

Public Sector Employment and Management Act

REVOCATION OF DETERMINATION 11 of 2011

I, KENNETH DONALD SIMPSON, the Commissioner for Public Employment, in pursuance of section 14(2) of the *Public Sector Employment and Management Act* and with reference to section 43 of the *Interpretation Act*, revoke Determination Number 11 of 2011.

DETERMINATION 3 of 2013

COMMONWEALTH SUPERANNUATION SCHEME MEMBER TRANSITION TO RETIREMENT ARRANGEMENTS

I, KENNETH DONALD SIMPSON, the Commissioner for Public Employment, in pursuance of section 14(2) and section 34 the *Public Sector Employment and Management Act* (the Act), and with reference to section 13(a) of the Act, for the specific purpose of supporting an ongoing Northern Territory Public Sector employee who is a member of the Commonwealth Superannuation Scheme (CSS) to access, at his or her discretion, CSS transition to retirement arrangements, determine that:

1. subject to the approval of the Chief Executive Officer (CEO), and provided there is no break in service, the employee's employment status may be varied from ongoing to fixed period on a part-time basis and the employee may:
 - (a) perform the same duties at the same designation; or
 - (b) perform alternative duties, where the same duties cannot be performed on a part-time basis due to operational reasons;
 - i. at the same designation, pursuant to section 35(1) of the Act; or
 - ii. at a lower designation with the consent of the employee, pursuant to section 36(3) of the Act;
2. the fixed period employment may be performed for a period, not exceeding five (5) years, and subject to the Act, is renewable at the employees option;
3. pursuant to any Individual Flexible Working Arrangements provisions in the relevant enterprise agreement, the employee may enter into an individual flexibility arrangement to work in excess of the maximum number of hours for a part-time employee as specified in the enterprise agreement;
4. on changing employment status the employee shall retain accrued recreation leave, personal leave, and continuity of service for the purpose of long service leave where there is no break in employment within the Public Sector;
5. notwithstanding paragraph 4, on ceasing to be an ongoing employee, an employee who consents to changing his or her employment status to a lower designation in accordance with paragraph 1(b)(ii), may elect to cash-out

accrued long service leave with a corresponding reduction in leave credits¹;
and

6. subject to paragraph 5, any and all terms and conditions provided under the Act and the relevant enterprise agreement will continue as if there had been no change in employment status from ongoing to part-time fixed period except that accrual of entitlements will be in accordance with the part-time rate from the date the fixed period contract commences.

Dated 25 JANUARY 2013



KEN SIMPSON
Commissioner for Public Employment

¹ Note: Subject to provisions in relevant enterprise agreements, any employee, regardless of transition to retirement arrangements, may apply to cash-out accrued recreation leave (in excess of four weeks credit). An employee in accordance with 1(b)(ii) will be paid at the higher designation rate where an application to do so is approved prior to commencing a fixed period part-time contract at a lower designation.