

NORTHERN TERRITORY OF AUSTRALIA

*Public Sector Employment and Management Act*

**REVOCATION OF DETERMINATION 1048 of 2013**

I, CRAIG JOHN ALLEN, 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 1048 of 2013.

**DETERMINATION NUMBER 1014 OF 2018**

I, CRAIG JOHN ALLEN, the Commissioner for Public Employment, in pursuance of section 14(2) of the *Public Sector Employment and Management Act*, and with reference to section 13(a) of that Act, determine that an employee who was employed under the NTPS 2010-2013 Enterprise Agreement and who on 28 November 2013 had an approved Extended Leave Scheme arrangement in place, in accordance with Schedule 13 clause 4 of that Agreement, shall continue to have access to those scheme provisions as set out in the Schedule to this Determination.

Date: 15 / 6 / 2018



CRAIG ALLEN  
Commissioner for Public Employment

## SCHEDULE TO DETERMINATION 1014 OF 2018

### EXTENDED LEAVE SCHEME

- 1 General principles
  - (a) This scheme allows for 5 year agreements, comprising 4 years of work, followed by 1 year of extended leave.
  - (b) Salary is reduced to 80% for 4 years to pay for the 1 year of extended leave.
  - (c) The extended leave may only be taken in the 5th year.
  
- 2 Administrative
  - (a) During extended leave arrangement, compulsory Employer superannuation contributions are calculated on the Employee's reduced salary (ie: 80% of the salary that the Employee would be paid if he or she had not entered the extended leave arrangement).
  - (b) Extended leave will not break continuity of service.
  - (c) Extended leave will count as service for all purposes.
  - (d) Extended leave will not attract a leave loading.
  - (e) The Employee's deductions for extended leave will be increased in accordance with salary increases applying during the period of the agreement.
  - (f) A public holiday that falls within a period of extended leave will not extend the period of the leave.
  
- 3 Cessation of extended leave
  - (a) An extended leave arrangement may cease in the following ways:
    - (i) At the request of the Employee on the giving of 3 months written notice to the CEO, provided that approval of the request to cease the arrangement is at the discretion of the CEO, based on operational and other relevant considerations.
    - (ii) At the initiative of the CEO, on the giving of 3 months written notice to the Employee, along with reasons for the cessation.
    - (iii) The Employee ceases employment with the NTPS.

(iv) The Employee moves to a new work area within the Agency, or to another Agency (unless the new work area or Agency agrees to continue the arrangement).

(b) Where an extended leave arrangement ceases in accordance with paragraph (a), the Employee will be reimbursed a lump sum payment of monies paid within 2 months of the date of cessation, provided that where the Employee has already commenced the period of extended leave, he or she will be reimbursed monies paid on a pro-rata basis, in accordance with the portion of monies relating to the unused period of leave.

#### 4 Independent Advice

(a) Prior to ceasing an extended leave arrangement an Employee should seek, at his/her own expense, independent advice regarding:

- (i) his/her financial situation;
- (ii) the potential impact on taxation; and
- (iii) the potential impact on superannuation.

#### 5 Non-renewable Arrangement

(a) An Employee shall not be eligible to re-apply for a new extended leave arrangement on the expiry or cessation of an existing agreement.

