

NORTHERN TERRITORY OF AUSTRALIA

Public Sector Employment and Management Act 1993

REVOCATION OF DETERMINATION 1043 OF 2024

I, Nicole Hurwood, Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 43 of the *Interpretation Act 1978*, revoke Determination 1043 of 2024.

DETERMINATION NUMBER 1002 OF 2025

Araluen Arts Centre– Theatrical Employees -
Terms and Conditions of Employment

I, Nicole Hurwood, Commissioner for Public Employment:

1. in pursuance of section 34A(1)(a) of the *Public Sector Employment and Management Act 1993* (the Act), determine that the duties specified in Schedule 1 may be performed by a person employed on a casual basis under section 29(3)(c) of the Act (a casual employee);
2. in pursuance of section 34A(3) of the Act, determine that the terms and conditions to apply to and in relation to the employment as a casual employee are as follows:
 - (a) The employee is employed and paid by the hour.
 - (b) The employee works only when required by the employer (which may or may not be regular or on fixed days or at fixed hours).
 - (c) There is no continuing contract of employment with the employer requiring the person to work on a subsequent occasion at a specified time.
 - (d) 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.
 - (e) An employee will be paid the hourly rate specified in Schedule 2 for ordinary hours of work.
 - (f) The hourly rates specified in Schedule 2 and Schedule 3 shall be adjusted in accordance with the general percentage salary increases (or

equivalent) applicable to the physical classifications in the NTPS 2021-2024 Enterprise Agreement and its successors.

- (g) As detailed in Schedule 1 of the Public Sector Employment and Management Regulations, Part 7, Part 8, and sections 57, 58 and 59A of the Act do not apply to or in relation to an Employee employed on a casual basis.
- (h) With the exception of By-Law 8 – Long Service Leave and By-Law 26 – Northern Territory Allowance, the Public Sector Employment and Management By-Laws do not apply.
- (i) The Employment Instructions apply with the exception of:
 - Employment Instruction Number 6 – Inability to Discharge Duties;
 - Employment Instruction Number 7 – Discipline;
- (j) A casual employee:
 - (i) with the exception of By-Law 8, does not accrue or become entitled to utilise any paid leave;
 - (ii) is not eligible for incremental adjustment to their salary; or
 - (iii) does not receive payment for public holidays not worked.
- (k) The following special conditions shall apply:
 - (i) The ordinary hours of work will be a minimum of four consecutive hours per day.
 - (ii) Ordinary hours may be worked on any of the days, Monday through to and including Sunday, between the hours of 7.00am and 12 midnight.
 - (iii) Where ordinary hours are worked on a Sunday payment will be at the rate of double time, with a minimum payment of four hours.
 - (iv) Where work is commenced on a Saturday and continues, without a break on the Sunday, the minimum four hour payment for work performed on a Sunday, as prescribed in (iii) shall not apply.
 - (v) For all work performed between 12 midnight and 7.00am overtime is payable at the rate of double time.
- (l) Overtime will be paid at the hourly rate specified in Schedule 3 and will be calculated to the nearest quarter of an hour.
- (m) For all ordinary hours of work and overtime performed on a Public Holiday, payment will be at the rate of double time at the relevant hourly rate, with a minimum payment for four hours.

- (n) Where hours worked are in excess of eight hours per day overtime will be paid at the rate of time and a half for the first two hours and double time thereafter.
 - (o) Where hours worked are more than thirty-eight hours (excluding overtime worked and paid on a daily basis) in any one week will be paid for all hours in excess of thirty-eight, time and a half for the first four hours and double time thereafter.
 - (p) An employee who works overtime on any day will be entitled to a break of ten hours before resumption of work on the following day. Should such employee be required to resume work before the expiration of ten hours the employee will be paid at the rate of double time until the employee is released from duty for such period.
3. This determination shall cease to have effect after 5 years, or the date revoked, whichever is the earlier.

Dated 26 February 2025



NICOLE HURWOOD
Commissioner for Public Employment

SCHEDULE 1

Theatrical Employee

LEVEL A	LEVEL B	LEVEL C	LEVEL D
Usher Loader Program/Merchandise Seller	Mechanist Electrician Flyman Follow Spot Operator Wardrobe Assistant Props Assistant Assistant Stage Manager Lighting/Audio Operator Box Office Staff Projection Assistant	Duty Technician Lighting/Audio Desk Operator	Projectionist

SCHEDULE 2

CASUAL HOURLY RATE FOR ORDINARY HOURS OF WORK (incl. 25% loading)

	Rate effective from date of Determination 1002 of 2025
Tele A	\$31.56
Tele B	\$33.09
Tele C	\$36.23
Tele D	\$37.78

SCHEDULE 3

CASUAL HOURLY RATE FOR OVERTIME

	Rate effective from date of Determination 1002 of 2025
Tele A	\$25.25
Tele B	\$26.47
Tele C	\$28.98
Tele D	\$30.22



NORTHERN TERRITORY OF AUSTRALIA
NORTHERN TERRITORY PUBLIC SECTOR

EMPLOYMENT CONTRACT

(Casual Employee)

This Contract of Employment is made on the

..... day of 20

between

The Commissioner for Public Employment

("the Employer")

«Agency»

«Agency Res Address»

(show address for service of notices)

and

«First Name» «Last Name»

('the Employee")

«Res Address »

(show address for service of notices)

Employment

1. The designation to which the Employee is employed is Theatrical Employee Level _____.
2. The period of this Contract is the period commencing on the «**Vac start date**» and ends on «**Vac end date**», unless sooner terminated.

Remuneration

3. Subject to the terms and conditions of this Contract, the Employee shall be entitled to an hourly salary rate of _____.

Duties of Employee

4. The Employee shall carry out duties from time to time assigned to the Employee by the Chief Executive Officer.

Terms and Conditions

5. The terms and conditions of this Contract are set out in Determination 1043 of 2024 of the Employer, pursuant to section 34A(3) of the *Public Sector Employment and Management Act 1993*.

General Provisions

6. This Contract supersedes and replaces all other contracts, understandings or arrangements relevant to the employment of the Employee by the Employer prior to the execution of this Contract.
7. This Contract is governed by the law of the Northern Territory of Australia and is deemed to be made in the Northern Territory of Australia.
8. (a) All notices, consents, approvals, agreements, or other communications by or to the respective parties to this Contract must be in writing and will be taken to be duly given or made:
 - (i) in the case of delivery in person, or by post, when delivered; or

- (ii) in the case of a facsimile transmission, on receipt by the sender of a written communication transmission report from the sending facsimile machine indicating successful transmission to the recipient's facsimile number, provided that if the time of dispatch is not before 4.00pm on a day on which business is generally carried on in the place to which such communication is sent, it shall be deemed to have been received at the commencement of business on the next day on which business is generally carried out in that place.

A notice must be delivered to the address shown in the Contract for the party or to another address specified by the party in writing.

- (b) A written communication transmission includes a notice by facsimile transmission.

SIGNATURES

*Pursuant to section 25 of the
Public Sector Employment
and Management Act:*

SIGNED BY:

.....
(print name)

.....
(signature of Employer / Delegate)

On

.....
(date)

SIGNED BY:

.....
(print name)

.....
(signature of Employee)

On

.....
(date)