I, DAVID JOHN HAWKES, the Commissioner for Public Employment, hereby revoke Determination No 11 of 1993 in so far as it applies to the classes of duties performed by persons holding designations contained in the Power and Water Authority Employees Award 1988 or the Professional Engineers (PAWA) Award 1988.

In pursuance of section 34(1)(a) of the Public Sector Employment and Management Act, I hereby determine that the classes of duties specified in the Power and Water Authority Employees Award 1988 may be performed for a fixed period by a person appointed on a temporary basis under section 29 of the Act.

This Determination does not apply to those persons to whom Determination Number 8 of 1996 applies (temporary employees).

In pursuance of section 34(3) of the Act, I determine that a person may be employed as a casual employee from time to time in accordance with the Power and Water Authority Employees Award 1988.

In pursuance of section 34(4) of the Act, I determine that the terms and conditions of employment shall be as follows:

1. The Employee is employed as and when required by the Chief Executive Officer and the employment may be terminated by the Chief Executive Officer on the giving of one (1) hour’s notice.

2. The Employee is employed by the hour and paid at the hourly rate calculated in accordance with Clause 4 below.

3. The employment may not be regular, on fixed days or at fixed hours and there is no guarantee of continuing or subsequent employment.

4. A casual employee shall be paid at the appropriate hourly rate of pay relevant to the designation assigned and in addition, shall be paid a casual loading in accordance with the Power and Water Authority Employees Award 1988.

5. Where a casual employee is eligible to receive a penalty payment, the penalty payment is calculated on the base rate of pay excluding the casual loading.
6. Sections 37, 57 and 58 of the Act, and Parts 7 and 8 of the Public Sector Employment and Management Act do not apply to or in relation to a casual employee.

7. In accordance with Northern Territory Public Sector Employment and Management (Exemption) Regulation Number 3 the Public Sector Employment and Management By-laws do not apply to an employee employed within the Power and Water Authority.

8. Part 3 of the Northern Territory Public Sector Employment and Management Regulations does not apply to or in relation to a casual employee.

9. The conditions of service which shall apply to a casual employee within the Power and Water Authority shall be as set out in this Determination and Part VI (Clause 3) of the Power and Water Employees Award 1988.

10. All employment Instructions issued by the Commissioner pursuant to section 16 of the Act apply to a casual employee with the exception of:

   Employment Instruction Number 5 - Medical Incapacity
   Employment Instruction Number 6 - Inability to Discharge Duties
   Employment Instruction Number 7 - Discipline
   Employment Instruction Number 14 - Part-Time Employment

11. A casual employee shall not:

   (a) accrue or be entitled to utilise any paid leave;
   (b) be eligible for incremental adjustment to their salary; or
   (c) receive payment for public holidays not worked.

12. Superannuation entitlements shall be in accordance with directions issued by the Commissioner of Superannuation from time to time.

Dated 21 August 1996

DAVID J HAWKES
Commissioner for Public Employment
NORTHERN TERRITORY OF AUSTRALIA

NORTHERN TERRITORY PUBLIC SECTOR
(Power and Water Authority)

EMPLOYMENT CONTRACT
(Casual Employees)

This Contract of Employment is made on the

.............................. day of .................. 19

between

The Commissioner for Public Employment
(hereinafter referred to as "the Employer")

..........................------------------------------------------------------
(show address for service of notices)

and

..........................------------------------------------------------------
(hereinafter referred to as "the Employee")

..........................------------------------------------------------------
(show address for service of notices)
Appointment

1. The designation to which the Employee is appointed is ____________________________.

2. The period during which the employee may be employed as a Casual Employee is the period commencing on the ________ day of ________ 19______ and ending on the ________ day of 19______.

Remuneration

3. Subject to the terms and conditions of this Contract, the Employee shall be entitled to a wage of ($ ________ ) per hour, which includes a casual loading in accordance with the Power and Water Authority Employees Award 1988.

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 No. 11 of 1996 of the Employer pursuant to section 34(4) of the Public Sector Employment and Management Act.

General Provisions

6. This Contract supersedes and replaces all other Contracts, understandings or arrangements relevant to the employment of the Employee prior to the execution of this Contract.
7. This Contract shall be governed by the law of the Northern Territory of Australia and shall be 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 shall be in writing and shall be deemed 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 send 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 4.00 pm 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;

to that party to which such communication is required or permitted or to be given under this Contract addressed to its address as shown in this Contract or at such address as the relevant addressee may specify for such purpose to the others by notice in writing.

(b) A written communication transmission includes a notice by facsimile transmission.
IN WITNESS WHEREOF this Contract was executed the day and year first before written.

SIGNED BY
pursuant to section 25 of the Public Sector Employment and Management Act in the presence of:

SIGNED BY

in the presence of: