

NORTHERN TERRITORY OF AUSTRALIA

*Public Sector Employment and Management Act 1993***REVOCATION OF DETERMINATION**

I, VICKI TELFER, the Commissioner for Public Employment, in pursuance of section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 43 of the *Interpretation Act*, revoke Determination 1023 of 2016 PILOTS – MARKET AND RESPONSIBILITY ALLOWANCE and Determination 1067 of 2020, PILOTS – NORTHERN TERRITORY POLICE CIVIL EMPLOYMENT UNIT.

Dated 29 August 2023



Vicki Telfer PSM
Commissioner for Public Employment

DETERMINATION NUMBER 1057 OF 2023**PILOTS – NORTHERN TERRITORY POLICE CIVIL EMPLOYMENT UNIT**

I, VICKI TELFER, Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* (the Act) and with reference to section 13(a) of that Act, determine:

1. In pursuance of section 13(a) of the Act, that Pilot, Senior Pilot, Deputy Chief Pilot and Chief Pilot (collectively referred to in this Determination as "Pilots") are designations for the performance of duties within the Northern Territory Police Civil Employment Unit.
2. Pursuant to section 29(3) of the Act, Pilots may be employed on an ongoing or fixed period basis.
3. In pursuance of sections 13(a) and 34(4) of the Act, the terms and conditions of employment for Pilots shall be those set out in this Determination and the Schedules, and in accordance with the Act and the Regulations, By-laws, Employment Instructions and Determinations made thereunder.
4. In pursuance of section 31 of the Act, a person employed as a Pilot, Senior Pilot, Deputy Chief Pilot or Chief Pilot shall be required to possess the qualifications and meet other requirements as set out in Schedule 2.

Determination 1057 of 2023



5. The rates of pay and Instrument Flying Rating Allowance, Specified in Schedule 3, will be adjusted in accordance with the increases specified in this Determination.
6. In relation to a fixed period employee:
 - a) In pursuance of section 34(3) of the Act,:
 - i. a person may be employed to perform the duties of a Pilot, Senior Pilot, Deputy Pilot or Chief Pilot for a period not exceeding two years; and
 - ii. a person's fixed period employment may be renewed on no more than one occasion provided:
 1. the duties to be performed by the employee with the renewal must be the same duties that were performed by the employee during the original period of employment; and
 2. the original contract and its renewal are for a period of no greater than two years.
 - b) All Employment Instructions issued by the Commissioner for Public Employment pursuant to section 16 of the Act apply with the exception of:
 - i. Employment Instruction Number 6 – Employee Performance and Inability; and
 - ii. Employment Instruction Number 7 – Discipline.
 - c) The Public Sector Employment and Management By-laws apply with the exception of By-law 29 Temperate Clothing Allowance.
 - d) The employee shall give at least two weeks' notice to the employer of termination of the fixed period contract.
 - e) 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 with the Northern Territory Public Sector.
7. Pilots will be entitled to the annual lump sum payments in accordance with clause 33.1(b)(ii) and 33.1(b)(iii) of the *Northern Territory Public Sector 2021 - 2025 Enterprise Agreement* (the Agreement) subject to the following conditions;
 - a) To receive the \$2,000 lump sum payment in accordance with clause 33.1(b)(ii) the employee must have been employed on 10 August 2023;
 - b) To receive the \$2,000 lump sum payment in accordance with clause 33.1(b)(iii) the employee must have been employed on 10 August 2024;



c) This includes Pilots who were/are on:

- i. unpaid parental leave;
- ii. unpaid personal leave; or
- iii. other leave without pay that is for a period of less than four weeks on the date specified in paragraphs 2 and 3 respectively.

d) An employee who received a lump sum payment in accordance with the Agreement, is not eligible to receive a payment under this determination.

8. This Determination shall be deemed to have effect from 10 August 2023.

9. This Determination shall cease to have effect on 31 August 2024, unless revoked earlier.

Dated 29 August 2023



VICKI TELFER PSM
Commissioner for Public Employment

SCHEDULE 1

TERMS AND CONDITIONS OF EMPLOYMENT

(Refer to Paragraph (3) of the Determination)

DEFINITIONS

For the purposes of this Determination and Schedules the following definitions apply:

“Agency” means the Police Civil Employment Unit within the Northern Territory Police, Fire and Emergency Services.

“AMSA” means the Australian Maritime Safety Authority.

“CASA” means the Civil Aviation Safety Authority.

“CEO” means the Commissioner of Police and Chief Executive Officer of Fire and Emergency Services. Except where the context otherwise requires, a Chief Executive Officer includes a person authorised to exercise the relevant powers of a Chief Executive Officer for the purpose concerned.

“employee/s” means Pilot, Senior Pilot, Deputy Chief Pilot and Chief Pilot.

“employer” means the Commissioner for Public Employment

“ICUS” means in command under supervision.

“IFR” means instrument flight rules.

“MEA” means multi-engine aeroplane.

“PSEM Act” means the *Public Sector Employment and Management Act 1993* (NT) and includes the Regulations, By-laws, Employment Instructions and Determinations made under the Act.

“Standby Duty” means an employee holding him or herself in a state of readiness for a nominated period to be able to undertake flying duties. Standby Duty is considered to be on duty wherever it is performed and is part of ordinary hours.

“SAR” means the search and rescue function carried out through AMSA.

“SEA” means single engine aeroplane.

“Training and Checking Organisation” as defined in Regulation 217, *Civil Aviation Regulations (Cth)*.

1. RATES OF PAY

- 1.1. An employee is paid at the rates specified in Table A of Schedule 3 of this Determination.

2. HOURS OF WORK

- 2.1. The ordinary hours of work of a full-time employee will be 38 hours per week averaged over a 12 month period. A further 2 additional hours per week have been included in the salary for each designation, as reasonable additional hours. For the purpose of this clause, the 38 ordinary hours per week plus the 2 additional hours (total 40 hours per week) are the normal hours. The ordinary/normal hours may be worked at any time of the day.
- 2.2. Duty may be performed on any day of the week, Monday to Sunday on a flexible roster cycle including public holidays and night time flying.
- 2.3. An employee will be rostered to work within the limits prescribed by this Determination and CASA requirements.

3. MEAL BREAK

- 3.1. During each shift a meal break of 30 minutes shall be allowed, which shall, so far as practicable, coincide with the usual meal hours, and be regarded as time on duty.

4. CONSOLIDATED ALLOWANCE

- 4.1. Employees who perform shift work will be paid a Consolidated Allowance equal to 17% of salary in lieu of the following entitlements that would otherwise apply:
 - 4.1.1. penalty rates applicable to any shift work including Saturday, Sundays and Public Holidays as provided under By-law 39 (Shift Payments);
 - 4.1.2. days off in lieu of rostered and programmed days off falling on Public Holidays.
 - 4.1.3. Meal break allowance – where it is not practicable for the pilot to have access to the paid meal break after 5 hours of continuous duty.
 - 4.1.4. Oxygen tanks – to fill the oxygen tanks on the aircraft and hold the required maintenance competency.
- 4.2. Salary for the purpose of calculating any payment under this clause will include higher duties allowance, but will exclude all other allowances.
- 4.3. The consolidated allowance:
 - 4.3.1. applies to payments for all forms of paid leave;
 - 4.3.2. does not apply to the calculation of overtime rates of pay.

5. INSTRUMENT FLYING RATING ALLOWANCE

- 5.1. An employee shall be paid an Instrument Flying Rating Allowance at the rate set out in Table B of Schedule 3 of this Determination.

6. RESPONSIBILITY (CHECK AND TRAINING) ALLOWANCES

- 6.1. A Senior Pilot, who is responsible for check and training duties, shall be paid the applicable Responsibility (Check and Training) Allowance in accordance with Schedule 4 of this Determination.
- 6.2. The allowance is a percentage of the Senior Pilot's annual base salary, excluding any market allowance payable, is to be paid during periods of paid leave and will count for taxation and superannuation.
- 6.3. The allowance will only be paid whilst the employee is approved to be the 'Head of Check and Training' or the 'Check and Training Pilot' or a 'Supervisory Pilot' and is performing the applicable check and training responsibilities as set out in Schedule 4 of this Determination.

7. SEARCH AND RESCUE ALLOWANCE

- 7.1. Where the CEO has agreed to provide a search and rescue function a Search and Rescue (SAR) Allowance of \$60 per hour or part thereof will be payable to a pilot in command or pilot carrying out flying duties:
 - 7.1.1. on dedicated SAR flights from wheels up to wheels down; or
 - 7.1.2. for non-dedicated flights from "on SAR tasks" to "off SAR task"; or
 - 7.1.3. during mandatory SAR training flights as detailed in the contract subject to the approval of the Chief Pilot.
- 7.2. A pilot who is acting only as the drop master for the flight will be paid the low flying allowance for non-flight crew under the By-laws.

8. MARKET ALLOWANCE

- 8.1. Senior Pilots, Deputy Chief Pilot and Chief Pilots will receive a \$20,000 per annum market allowance to be paid on a fortnightly basis, provided that the allowance is subject to satisfactory achievement of performance indicators and milestones detailed in the a Pilots Annual Performance Plan.
- 8.2. The allowance is to count as salary for all purposes.

9. ATTRACTION AND RETENTION ALLOWANCE

- 9.1. Pilots who are based in Alice Springs will be eligible for an attraction and retention payment for each 12 months of service.
- 9.2. Pilots with 12 months continuous service in Alice Springs who are employed on the date of this determination will receive a \$5,000 lump sum payment and the next lump sum payment will be due at the end of another 12 months of service from the date of this payment.
- 9.3. Pilots who have not obtained 12 months continuous service in Alice Springs that are employed on the date of this determination will receive a pro rata amount proportionate to the percentage of the 12 months served in Alice Springs and the next lump sum payment will be due at the end of another 12 months of service from the date of this payment.

10. CHIEF PILOT ALLOWANCE

- 10.1. The Commissioner of Police may approve the payment of a Chief Pilot Allowance to an employee performing the duties of Chief Pilot as follows:
 - 10.1.1. The amount of the allowance is at the discretion of the Commissioner of Police;
 - 10.1.2. The maximum amount of the allowance is \$10,000 per annum; and
 - 10.1.3. The allowance is to count as salary for all purposes.



SCHEDULE 2

QUALIFICATIONS / OTHER REQUIREMENTS

(Refer Paragraph (4) of the Determination)

Meaning of terms used in this Schedule:

“IFR” means instrument flight rules.

“MEA” means multi-engine aeroplane.

“SEA” means single engine aeroplane.

In pursuant of section 31 of the PSEM Act, the qualifications and other requirements to perform duties as a Pilot, Senior Pilot or Chief Pilot shall be as follows:

- I. an Australian Commercial Pilot's Licence (aeroplane);p
- II. a Command Instrument Rating (SEA or MEA) with a minimum of three Instrument Proficiency Checks/renewals;
- III. a minimum of 2000 hours flying experience as Pilot in Command;
- IV. a minimum of 1000 hours flying experience as Pilot in Command of a multi-engine aircraft or single engine turbine powered aircraft, preferred under the IFR;
- V. a minimum of 50 hours night flying experience as Pilot in Command;
- VI. extensive remote area navigation experience;
- VII. CASA Class 1 Medical Certificate;

Or the person possesses qualifications and experience which in the opinion of the Commissioner of Police and Chief Executive Officer of Fire and Emergency Services are appropriate to allow a person to perform the duties of the designation.

SCHEDULE 3**RATES OF PAY and ALLOWANCES**

(Refer Paragraph (5) of the Determination)

Table A – Rates of Pay

Designation POLICE CIVIL EMPLOYMENT UNIT	old salary rates effective 20.08.20 \$ p.a.	SALARY RATES EFFECTIVE 10.08.23 (inclusive of 2% or \$2,000 whichever is the greater) \$ p.a.	SALARY RATES EFFECTIVE 10.08.24 (inclusive of 2% or \$2,000 whichever is the \$ p.a.
Pilot	70 415 73 324 76 271 79 215 82 159	72 415 75 324 78 271 81 215 84 159	74 015 77 324 80 271 83 215 86 159
Senior Pilot	86 326 89 369 92 240 95 463	88 326 91 369 94 240 97 463	90 326 93 369 96 240 97 463
Deputy Chief Pilot		102 336 105 406 108 568	104 383 107 514 110 740
Chief Pilot	101 558 104 709 107 855	113 997 117 417 120 939	116 277 119 765 123 358



Table B – Allowances

Allowance	old rates effective 20.08.20 \$ p.a.	RATE EFFECTIVE 10.08.23 \$ p.a.	RATE EFFECTIVE 10.08.24 \$ p.a.
Instrument Flying Rating Allowance	7 367	7 514	7 664

SCHEDULE 4**RESPONSIBILITY (CHECK AND TRAINING) ALLOWANCES**

(Refer Schedule 1 paragraph 6 of this Determination)

Name of Allowance	Requirements	Check and Training Responsibilities	Percentage of Senior Pilot's Annual Base Salary	Number of positions in Agency that can attract allowance
Check and Training Pilot	Employee has relevant qualifications to conduct check and training responsibilities; yet to obtain Approved Testing Officer Qualification.	Conduct type endorsements, differences training, general and remedial training and line proficiency checks as approved by CASA.	14%	2 (Check and Training Pilot OR Head of Check and Training)
Head of Check and Training	Effective upon 'Check and Training Pilot' achieving Approved Testing Officer Qualification and undertaking the 'Head of Check and Training' responsibilities	Conduct base and line proficiency checks, instrument rating renewals (Approved Testing Officer approval required), type endorsements, differences training, general, remedial and specific training as approved by CASA. Supervise ICUS flying, certify Check to Line and conduct recruiting flight assessments.	20%	
Supervisory Pilot	Approved within the Training and Checking Organisation to supervise ICUS flying and line checks	ICUS flying and certify Check to Line.	5%	2



