

Committee Secretary
Senate Education Employment and Workplace Relations Committee
PO Box 6100
Parliament House Canberra ACT 2600
Email : ewwr.sen@aph.gov.au
Senator Larissa Waters

Dear Committee Secretary,

Australian Senate - Education, Employment and Workplace Relations Reference Committee inquiry the employment conditions of state public sector employees and the adequacy of the protection of their work rights compared with other employees.

Please find attached my correspondence to Senator Larissa Waters dated 7 January 2013 which I request forms part of my submission which is submitted to this Federal Senate in relation to the inquiry into state government job losses and public sector employees' rights at work.

The Northern Territory Public Service.

Further to your motion passed in the Federal Senate on 28 November 2012, I write to you to ensure that you are aware of the performance of the Northern Territory Labor Government in relation to the Northern Territory Public Service in the last 5 years of the Northern Territory Labor Government up to when they lost Government on August 25 2012. It is hoped the Australian Senate in this inquiry also focuses on examples of the very poor performances of state and Territory Labor Governments such as the performance of the previous Northern Territory Labor Government.

I enclosed a copy of my letter to the editor that was published in the Northern Territory News newspaper dated November 21 2012 in relation to the irresponsible usage of fixed term employment contracts and growth in public service numbers by the former Northern Territory Labor Government. I also enclose my letter to the editor published in the Northern Territory Newspaper dated 12 May 2012 with the title *Union bosses quiet over Public Service Jobs* and the story in the NT News newspaper of September 11, 2012, where the NT Labor Party now in Opposition two weeks after losing government admitted that around 5,000 NT Public Servants were on fixed term contracts of employment, **which equates to no less than one in every four Northern Territory public servants [25 per cent] compared to the seven per cent ratio in the Commonwealth Public Service.**

Following the publication of my letter to the editor I discovered that in the 2012 State of the Service Report of the Northern Territory Public Service, that adding up all the figures in all of the 5 State of the Service reports, **over 8,300 Northern Territory Public Service fixed term employees did not have their fixed term contracts renewed and or their employment extended under the last 5 years term of the Northern Territory Labor Government. The employment of these 8,300 fixed terms employees in the Northern Territory Public Service ceased.**

Were the flood gates to encourage the NT Labor Government to use fixed term employment contracts to the ridiculous high levels of almost one in every three NT public servants, when counting casuals and supernumerary unattached public servants encouraged by the **perplexing** full bench Australian Industrial Relations Commission decision PR974185 of 27 November 2006 and also due to section 386 2 (b) (ii) of the Fair Work Act [Cth] ?

NT Department of Justice v Sarah Lunn - re Appeal - [PR974185](#) - 27 November 2006
- Lawler VP, Harrison SDP, Raffaelli
C. <http://www.fwa.gov.au/decisionsigned/html/PR974185.htm> . In NT Justice Department v Sarah Lunn the employee Sarah Lunn was initially employed by the NT Department of Justice as a clerk for one year in 1998 and was offered a series of temporary contracts over the next six years. In 2005 the employee was informed that she would not be offered another contract following the end of her current contract. The full bench of the Commission held that the employee's final contract was an "outer limit" contract which terminated due to the expiry of a fixed term contract and not at the initiative of the employer.

Thank you for your time in reading this correspondence and the primary sources for my evidence can be found in the primary source documents **State of the Service Reports** on the NT Government website
http://www.ocpe.nt.gov.au/workforce_planning/state_of_the_service_report .

Yours sincerely,
Mr. Lucio Matarazzo