

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing 25-29 May 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet
Outcome/Program: Outcome 1: Prime Minister and Cabinet
Topic: Staffing

Senator: Senator Katy Gallagher

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Question:

Senator GALLAGHER: In terms of new recruits to the agency, are they recruited under the PM&C agreement?

Mr Neal: Yes.

Senator GALLAGHER: So you are not exacerbating the problem?

Mr Neal: We try not to, but, if you are recruited into Indigenous affairs and that is an Indigenous affairs role, then you would come onto the relevant agreement.

Ms Kelly: It is not necessarily under the former PM&C EA that new staff are recruited; it depends upon the nature of the position that they are recruited to, because it is preserved under the 24(3).

Mr Neal: That is right. We have a breakdown of how that works, and I would be happy to provide that on notice so that I do not get it technically incorrect.

Senator GALLAGHER: That would be useful.

Answer:

The determination under subsection 24(3) of the *Public Service Act 1999* outlines the arrangements for non-SES employees moved between APS agencies following the Administrative Arrangements Orders made by the Governor-General in Council on 18 September 2013.

In accordance with this determination, where an employee is engaged by, or transfers to the Department of the Prime Minister and Cabinet (PM&C) into a function transferred as part of the September 2013 Machinery of Government (MoG) changes, the individual is employed under the enterprise agreement of the department from which that function transferred.

Where an employee is engaged by, or transfers to PM&C, into a function which existed in the Department prior to the 2013 MoG changes, the individual is employed under the PM&C Enterprise Agreement.

Where an employee from a function transferred under the 2013 MoG changes moves to a function which existed in the Department prior to the 2013 MoG changes, the individual will remain on the enterprise agreement of the department from which that function transferred.

Where an employee is already employed under the PM&C Enterprise Agreement, they will remain on that agreement regardless of whether they transfer into a function which was transferred under the 2013 MoG changes.