

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Additional Estimates 2010-2011**

**Cross Portfolio**

**DEEWR Question No.EW0783\_11**

**Senator Mason asked on 24/02/2011, Hansard page 8.**

**Question**

**DEPARTMENT REQUESTED LEAVE WITH PAY**

Senator MASON—Can you confirm whether your department has had any staff on leave with pay in the last 12 months where this leave has been at the request of the department—for example, where an employee has been charged with a criminal offence? Mr Wyers—I will have to take that on notice. I cannot think of an example where an employee has been on pay, no. Ms Paul—Nothing strikes me, but we will have a look for you, if you like. Senator MASON—You will take that on notice? That is fine.

**Answer**

**EDUCATION EMPLOYMENT AND WORKPLACE RELATIONS HAS PROVIDED  
THE FOLLOWING RESPONSE**

One staff member was suspended with pay in the last 12 months while we investigated a suspected breach of the APS Code of Conduct.

Section 28 of the Public Service Act 1999 and Public Service Regulations 3.10(2) allows a delegate of the Secretary to suspend an APS employee employed in the department if they believe on reasonable grounds that:

- The employee has, or may have, breached the APS Code of Conduct; and
- The employee's suspension is in the public interest, or the agency's interest.