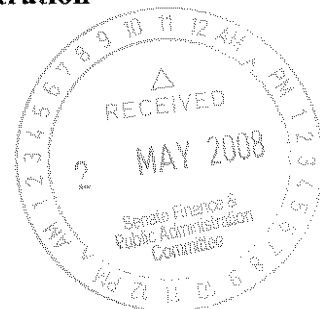


Senate Standing Committee on Finance and Public Administration
ANSWER TO QUESTION ON NOTICE
Prime Minister and Cabinet Portfolio
Department of Climate Change
Additional Estimates Hearing—February 2008



Written question reference: CC3

Outcome/Output: Response to climate change

Topic: Professor Garnaut's contract

Hansard Page: F&PA 18

Question:

Senator JOHNSTON—I would like the contract [for Professor Garnaut]. I am happy for personal details such as bank accounts and addresses to be deleted, but I would like the contract.

Senator Wong—Okay. Given the concession from Senator Johnston, I am happy to take it on notice. Obviously, we would need to consult with Professor Garnaut because it is a contract with him. With the provisos that Senator Johnston has put in place, I will take the question on notice and ask Dr Parkinson to consult with Professor Garnaut on those matters.

Answer: Professor Garnaut's contract has been submitted to the Committee Secretariat.

Please note that the agreed salary for superannuation purposes is \$225,200 per annum.

Professor Garnaut indicated that in addition to working the standard full time working hours of 36 hours and 45 minutes per week on the Garnaut Review, he would also spend time on private board appointments.

The agreed annual base salary payable in fortnightly arrears, was agreed as half of the superannuation salary (\$112,600) to reflect this allocation of the Professor's professional time.



Notice of Engagement

As Secretary of the Department of Climate Change, under the Public Service Act 1999 (the Act), I:

- i engage the person who is specified below as a non-ongoing employee under section 22 of the Act;
- ii allocate the classification specified below to that employee under subsection 5(1) of the Public Service Classification Rules 1999; and
- iii assign the duties specified below to that employee under section 25 of the Act.

This Notice of Engagement will take effect on the commencement date specified below, provided the employee takes up duty that day, or if another date is agreed, it will take effect that day.

Signed..... [Redacted Signature]

Full Name: Dr Martin Lee Parkinson
Secretary, Department of Climate Change

Full name	Professor Ross Gregory Garnaut
AGS Number	[Redacted]
Classification	Senior Executive Band 3 (Deputy Secretary)
Reference number	[tbc]
Division	S&C Division
Branch	FAC Branch
Section	NST
Salary on commencement	\$112,600 per annum
Hours per week	36 hours and 45 minutes
Commencement date	1 January 2008
Cease date	30 September 2008
Category	Specified term
Specified term	1 January 2008 - 30 September 2008
Employment location	Canberra
Conditions	Australian citizenship
Probation	No
Terms of employment	To be provided by s 24(1) Determination, - as outlined in Attachment A
Duties	see Attachments A - Schedule 1

If you wish to be engaged as a non-ongoing APS employee, please complete the following details and return the original to the Recruitment Unit. You should retain a copy for your records.

I certify:

- That I have not taken a redundancy package from an APS department or non-APS Commonwealth agency in the last 12 months.
- That I am an Australian citizen or if citizenship requirements have been waived hold a valid work rights visa to work in Australia.

Signed..... [Redacted Signature]
Full Name: Professor Ross Gregory Garnaut Date of birth [Redacted]



ATTACHMENT A - Remuneration and other terms and conditions of employment

1 Duties

1.1 The Employee will perform, with due care and diligence:

- 1.1.1 the duties described in the Job Description; and
- 1.1.2 other duties as may be directed from time to time by the Secretary, providing that such duties are consistent with the laws of the Commonwealth.

2 Obligations

2.1 The Employee will observe, and encourage others to observe, the APS Values and Code of Conduct as provided for by the Public Service Act 1999, the Public Service Regulations, the Public Service Commissioner's Directions and the Departmental procedures as varied from time to time.

3 Performance

3.1 See Schedule 1.

4 Employment in Australian Public Service

4.1 The Employee is employed in the Australian Public Service under the Public Service Act 1999.

5 Hours of Duty

5.1 The Employee's hours of duty:

- a) 36 hours and 45 minutes per week, and
- b) reasonable additional hours.

5.2 The Employee recognises that their pattern of work will be dictated by workloads and Government needs and agrees to be available at all such times as reasonably necessary for the performance of their duties.

5.3 Subject to any direction of the Secretary to the contrary, the Employee will be entitled to paid time off for the two working days between Christmas and New Year if the Employee will not be required to attend the workplace. The Employee must be reasonably contactable for work purposes during this period.

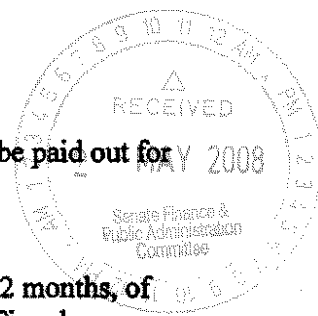
6 Public Holidays

6.1 Employees will observe the following 11 holidays each year and will be paid salary as if that day were not a public holiday - New Year's Day (or substitute); Australia Day (or substitute); Good Friday and the following Saturday and Monday; ANZAC Day (or substitute); the relevant Sovereign's Birthday observance day; the relevant Labour Day or equivalent; Christmas Day (or substitute); Boxing Day (or substitute); the additional Public Service holiday and up to two further public holidays observed by the APS at the locality.

7 Recreation Leave

7.1 The Employee will accrue recreation leave credit at the rate of 20 days per annum for each complete year of service which will be credited monthly. Employees may access their recreation leave credits as they are credited. Recreation leave will not accrue during periods that do not count as service.

7.2 Recreation leave may be granted at either full or half pay, where sufficient credit is available.



7.3 On separation from the Australian Public Service, the Employee will be paid out for remaining recreation leave credits.

8 Personal Leave

8.1 Employees will be entitled to twenty (20) days personal leave every 12 months, of which fifteen (15) days may accumulate to future credits if not used. Five days personal leave will be granted on 1 January each year, with the remaining 15 day entitlement to be credited monthly.

8.2 Personal Leave will be administered in accordance with the provisions at Schedule 2.

8.3 In addition the Employee is entitled to unpaid carer's leave and compassionate leave in accordance with Division 5 of Part 7 of the WR Act.

9 Paternity Leave

9.1 The Secretary will grant 10 days paid leave to employees following the birth (or adoption) of a child.

10 Parental Leave

10.1 The Employee is entitled to parental leave in accordance with Division 6 of Part 7 of the WR Act. Parental leave is without pay and does not count as service for any purpose.

11 Purchased Leave

11.1 Not applicable

12 Defence Reserve Leave

12.1 Not applicable

13 Other Leave (with and without pay)

13.1 Not applicable

14 Study Assistance

14.1 Not applicable

15 Travel

15.1 The Employee is required to undertake all official travel in accordance with Departmental policy and guidelines, as they apply from time to time.

15.2 The general conditions relating to official travel will be in accordance with those applying in the Department of Climate Change.

15.3 If the Employee is required to travel on official business within Australia, he or she will be entitled to be paid all reasonable domestic travel costs for accommodation, meals and incidentals, as appropriate, as specified from time to time.

15.4 If the Employee is required to be absent from his or her usual place of work on official business for a period of not less than 10 hours but not absent overnight, he or she may be paid an allowance of \$60. On 1 July 2008, the allowance will increase by 4% (to the nearest dollar).



15.5 For international travel, the Employer will pay all reasonable travel costs to a level not greater than the appropriate rates and allowances specified from time to time for short term missions.

15.6 Where the Secretary is satisfied that the overall travelling allowance is insufficient to cover reasonable expenses, additional payment may be authorised.

15.7 If the Employee is required to spend a total of more than two months in overseas travel in any financial year, the Secretary may approve a cash payment to take into account this circumstance.

16 Standard of Air Travel

16.1 The Employee is entitled to first class, or equivalent, air transport when required to travel in Australia or on domestic routes in other countries and business class, or equivalent, when travelling on international routes.

16.2 The Employer will pay for the Employee's membership of at least one Australian airline club.

17 No Costs of Accompanied Travel

17.1 The Employee is not entitled to reimbursement of costs connected with accompanied travel while travelling on official business in Australia or overseas.

18 Relocation Assistance

18.1 Not applicable

19 Business Related Equipment

19.1 No business related equipment to be provided.

19.2 The Employee is not entitled to reimbursement of the costs of the Employee's home telephone if it is used for official purposes except for the cost of STD and international calls for official purposes.

20 Loss or Damage to Personal Effects

20.1 The Employer may approve reimbursement to the Employee for loss or damage to clothing and/or personal effects, which occurred in the course of performance of duties by the Employee.

21 Other Payments

21.1 The Secretary may, from time to time, approve other payments to the Employee for a purpose that the Secretary considers to be necessary to the operational requirements of the Department.

22 Salary

22.1 The Employee will be paid an annual base salary of \$112,600 p.a. This amount is payable fortnightly in arrears.

22.2 On 1 July 2008 the Employee's annual base salary, as specified in Clause 25.1, will be increased by 4% to \$117,150.

23 Salary for Superannuation Purposes

23.1 The Employer and the Employee have agreed that the Employee's salary for superannuation purposes is \$225,200 on and from the Employee's date of commencement in the Department, subject to the operation of the employee's nominated superannuation scheme. In addition, the Employer and the Employee may from time to time agree on a greater annual rate of salary for superannuation purposes under subsection 5(3AA) of the Superannuation Act 1976.

23.2 The Employer and the Employee have agreed that on 1 July 2008, subject to the operation of the employee's nominated superannuation scheme, the Employee's salary for superannuation purposes will be increased to \$234,300.

24 Vehicle Allowance

24.1 The employee will be paid \$14,750 to maintain a privately plated motor vehicle. This will be paid in fortnightly instalments and does not count as salary for superannuation purposes.

25 Performance Bonus

25.1 Not applicable

26 Employer Contribution to Superannuation

26.1 The Employee is entitled to superannuation in accordance with, in the case of the CSS, the PSS or the PSS Accumulation Plan, the rules of the scheme of which the Employee is a member.

26.2 Where an Employee is eligible for membership of the PSS Accumulation Plan and exercises superannuation choice, the Department will maintain an employer contribution rate of 15.4% of salary for superannuation purposes.

27 Flexible Remuneration Packaging

27.1 Not applicable.

28 Dispute Resolution

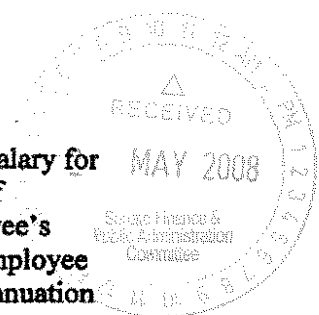
28.1 The parties to the dispute must genuinely attempt to resolve the dispute at the workplace level.

28.2 If a matter in dispute cannot be resolved at the workplace level, a party to the dispute may submit the dispute to mediation in accordance with, and subject to, The Institute of Arbitrators & Mediators Australia Mediation and Conciliation Rules.

28.3 Conduct during dispute

28.3.1 An employee who is a party to a dispute must, while the dispute is being resolved:

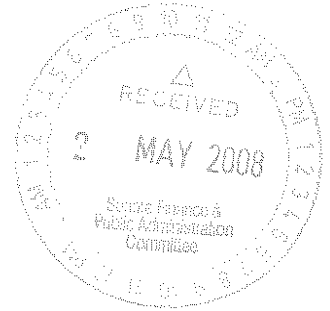
- a) continue to work in accordance with his or her contract of employment, unless the Employee has a reasonable concern about an imminent risk to his or her health or safety; and



b) comply with any reasonable direction given by the Agency Head (delegate) to perform other available work, either at the same workplace or at another workplace.

28.3.2 In directing an employee to perform other available work, the Agency Head (delegate) must have regard to:

- a) the provisions (if any) of the law of the Commonwealth or of a State or Territory dealing with occupational health and safety that apply to that employee or that other work; and
- b) whether that work is appropriate for the Employee to perform.



SCHEDULE 1 - JOB DESCRIPTION

GARNAUT CLIMATE CHANGE REVIEW TERMS OF REFERENCE (as released 30 April 2007)



To report to the Governments of the eight States and Territories of Australia, and if invited to do so, to the Prime Minister of Australia, on:

1. The likely effect of human induced climate change on Australia's economy, environment, and water resources in the absence of effective national and international efforts to substantially cut greenhouse gas emissions;
2. The possible ameliorating effects of international policy reform on climate change, and the costs and benefits of various international and Australian policy interventions on Australian economic activity;
3. The role that Australia can play in the development and implementation of effective international policies on climate change; and
4. In the light of 1 to 3, recommend medium to long-term policy options for Australia, and the time path for their implementation which, taking the costs and benefits of domestic and international policies on climate change into account, will produce the best possible outcomes for Australia.

In making these recommendations, the Review will consider policies that: mitigate climate change, reduce the costs of adjustment to climate change (including through the acceleration of technological change in supply and use of energy), and reduce any adverse effects of climate change and mitigating policy responses on Australian incomes.

This Review should take into account the following core factors:

- The regional, sectoral and distributional implications of climate change and policies to mitigate climate change;
- The economic and strategic opportunities for Australia from playing a leading role in our region's shift to a more carbon-efficient economy, including the potential for Australia to become a regional hub for the technologies and industries associated with global movement to low carbon emissions; and
- The costs and benefits of Australia taking significant action to mitigate climate change ahead of competitor nations; and
- The weight of scientific opinion that developed countries need to reduce their greenhouse gas emissions by 60 percent by 2050 against 2000 emission levels, if global greenhouse gas concentrations in the atmosphere are to be stabilised to between 450 and 550ppm by mid century.

Consult with key stakeholders to understand views and inform analysis. A draft Report is to be distributed for comment by June 30 2008. The final Report is to be completed and published by September 30 2008. Interim draft reports on particular issues may be released before that time for public discussion. The Report will embody the independent judgments of its author.

SES CORE SELECTION CRITERIA



SHAPES STRATEGIC THINKING

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and opportunities
- Shows judgement, intelligence and commonsense

ACHIEVES RESULTS

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Able to clarify ambiguities
- Ensures closure and delivers on intended results

EXEMPLIFIES PERSONAL DRIVE AND INTEGRITY

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self awareness and a commitment to personal development

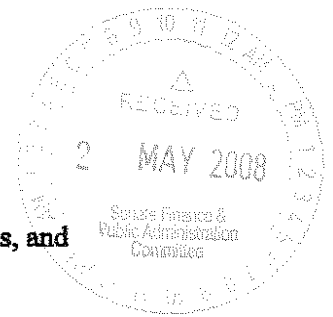
CULTIVATES PRODUCTIVE WORKING RELATIONSHIPS

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people

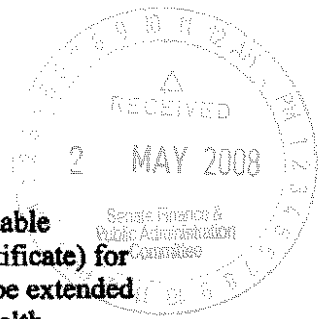
COMMUNICATES WITH INFLUENCE

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively

SCHEDULE 2 – PERSONAL LEAVE



1. All personal leave credits will be recorded and deducted in hours and minutes, and will accrue on a full-pay basis.
2. Personal leave may be used for any period, including periods of 1 day or less. Personal leave may not be used for recreation leave purposes. Employees may elect to take personal leave at half-pay.
3. No personal leave credit will accrue during any periods of leave without pay or to an employee after the date of the Employee's termination of employment or resignation.
4. Personal leave cannot be converted to salary and cashed out upon termination of employment.
5. Personal leave can be used for purposes of personal illness/injury, emergency caring purposes of a short-term nature, and for addressing personal needs which cannot be dealt with outside ordinary hours, including:
 - a. attending to health appointments, legal or other personal matters;
 - b. short term care of partners, dependants, members of the Employee's household, extended family members or close friends who are ill or require assistance;
 - c. accompanying family with health, legal or other personal matters;
 - d. attending cultural or religious obligations, including observance of religious holidays which are not formally designated as public holidays in the Agreement;
 - e. attending National Aboriginal and Islander Day Observance Committee (NAIDOC) ceremonies;
 - f. urgent household matters or repairs;
 - g. moving house;
 - h. attending graduation ceremonies; and
 - i. when the Employee is unable to organise alternative care for their child or their usual child-care arrangements are unexpectedly disrupted
6. Employees who take paid maternity leave or have leave approved for the purposes of adoption may access up to two weeks of their personal leave entitlement for maternity/adoption purposes. This leave is to be taken immediately following the period of paid maternity/adoption leave.
7. The maximum continuous period of personal leave for caring purposes that will be granted is normally ten days. Where the need for the Employee to continue in a carer role exceeds ten days, the relevant manager will review the circumstances with the Employee and consider other options (including changes in hours, home based work or part time work). In exceptional circumstances the Secretary (delegate) may approve applications for personal leave for caring purposes for continuous periods exceeding 10 days.



8. Production of Supporting Evidence

- a. Employees may be granted personal leave with pay (subject to available credits) without production of supporting evidence (eg. medical certificate) for absences of no more than three consecutive days. This period will be extended to four days in localities that are long distances from a registered health practitioner, subject to the approval of the Secretary (delegate).
- b. If the number of days without supporting evidence exceeds ten days in any accrual year, the Secretary (delegate) may require the Employee to provide evidence for any further short absences. The Secretary (delegate) must inform the Employee in advance of any requirement for supporting evidence for short absences.
- c. Certificates from a registered health practitioner will be accepted for personal leave purposes for illness/injury. In cases involving workers' compensation, Comcare will decide if they accept the medical certificate.

9. Medically Unfit for Duty

- a. Personal leave will not be debited where an employee is medically unfit for duty on a public holiday which the Employee would have otherwise observed.
- b. Should an employee be medically unfit for 1 day or longer while on recreation leave or Long Service Leave the Employee may apply for personal leave. Subject to the provision of a medical certificate or other supporting evidence as per section 254 of the WR Act, recreation leave or LSL will be re-credited to the extent of personal leave granted.

10. Advancement of Future Personal Leave

- a. The Secretary (delegate) may, in exceptional circumstances, advance an employee's future personal leave accrual where their current personal leave credit has been exhausted.

11. Access While on Paid Maternity Leave

- a. An employee will not be entitled to paid personal leave while also entitled to paid leave under the Maternity Leave (Commonwealth Employees) Act 1973.

12. Termination of Employment on Invalidity Grounds

- a. An employee will not, without their consent, have their employment terminated on invalidity grounds before their full pay personal leave credit has expired (excluding staff with a current recognised compensable injury).

APS CODE OF CONDUCT

The Code of Conduct requires that an employee must:

- behave honestly and with integrity in the course of APS employment;
- act with care and diligence in the course of APS employment;
- when acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment;
- when acting in the course of APS employment, comply with all applicable Australian laws;
- comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction;
- maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff;
- disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment;
- use Commonwealth resources in a proper manner;
- not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment;
- not make improper use of:
 - a. inside information, or
 - b. the employee's duties, status, power or authority, in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person;
- at all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS;
- while on duty overseas, at all times behave in a way that upholds the good reputation of Australia; and
- comply with any other conduct requirement that is prescribed by the regulations

The Code of Conduct is set out in section 13 of the *Public Service Act 1999*.

The APS Values are set out in section 10 of the *Public Service Act 1999*.

