

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994
**PUBLIC SECTOR MANAGEMENT (REDEPLOYMENT AND
REDUNDANCY) AMENDMENT REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Sector Management (Redeployment and Redundancy) Amendment Regulations 1996*.

Principal regulations

2. In these regulations the *Public Sector Management (Redeployment and Redundancy) Regulations 1994** are referred to as the principal regulations.

[* *Published in Gazette 30 September 1994, pp. 5033-56.*
For amendments to 8 May 1996 see Gazette 12 December 1995.]

Regulation 3 amended

3. Regulation 3 (1) of the principal regulations is amended —
 - (a) by inserting after the definition of “Commonwealth award” the following definition —

“**“continuous service”** has the same meaning as it has in the *Wages Employees Long Service Leave General Order* of The Western Australian Industrial Relations Commission;

”;

and

- (b) by deleting the full stop at the end of the definition of "suitable office, post or position" and substituting a semicolon and inserting after that definition the following definitions —

"

"the employee's average weekly hours" means the average number of hours (not including overtime) that the employee worked each week during the employee's period of continuous service;

"the employee's full-time weekly pay" means —

- (a) if the employee is employed on a full-time basis, the employee's weekly pay; or
- (b) if the employee is employed on a part-time basis, the amount that would be the employee's weekly pay if the employee were employed on a full-time basis;

"the employee's period of continuous service" means the period of continuous service in the Public Sector (including a ministerial office) served by the employee —

- (a) in any period greater than 10 years for which, in the Minister's opinion, there are reliable records of the hours worked each week by the employee; or
- (b) if paragraph (a) does not apply, in the period of 10 years,

ending on the day of acceptance by the employee of, as the case requires —

- (c) an offer referred to in regulation 9 (1) or 19 (1); or
- (d) an offer of a severance payment referred to in regulation 20 (1);

"the employee's potential full-time weekly hours" means the number of hours (not including overtime) that the employee would have worked each week during the employee's period of continuous service if the employee had been employed on a full-time basis during that period.

"

Regulation 9 amended

4. Regulation 9 (2) of the principal regulations is repealed and the following subregulation is substituted —

"

(2) For the purposes of subregulation (1) (b), the weekly pay of an employee who, during the employee's period of continuous service, worked a different number of hours in different weeks is to be calculated as follows —

$$A = B \times C$$

where —

A is the employee's weekly pay;

B is the employee's full-time weekly pay; and

C is the employee's average weekly hours expressed as a percentage of the employee's potential full-time weekly hours.

"

Regulation 19 amended

5. Regulation 19 (2) of the principal regulations is repealed and the following subregulation is substituted —

“

(2) For the purposes of subregulation (1) (b), the weekly pay of an employee who, during the employee's period of continuous service, worked a different number of hours in different weeks is to be calculated as follows —

$$A = B \times C$$

where —

A is the employee's weekly pay;

B is the employee's full-time weekly pay; and

C is the employee's average weekly hours expressed as a percentage of the employee's potential full-time weekly hours.

”

Regulation 20 amended

6. (1) Regulation 20 (3) of the principal regulations is repealed and the following subregulation is substituted —

“

(3) For the purposes of subregulations (1) and (2), the weekly pay of an employee who, during the employee's period of continuous service, worked a different number of hours in different weeks is to be calculated as follows —

$$A = B \times C$$

where —

A is the employee's weekly pay;

B is the employee's full-time weekly pay; and

C is the employee's average weekly hours expressed as a percentage of the employee's potential full-time weekly hours.

”

(2) Regulation 20 (7) is amended by deleting the definition of “continuous service”.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.
