

State Service Act 2000

Commissioner's Direction No.1

EMPLOYMENT IN THE STATE SERVICE

OPERATIVE DATE: 1 January 2009

[Replaces and supersedes Commissioner's Direction No.1 operative from 1 July 2008, which is hereby revoked]

Commissioner's Direction No. 1

Employment in the State Service

Operative Date: 1 January 2009

1. APPLICATION:

- 1.1 This Direction is issued in accordance with Section 20 of the *State Service Act 2000* (the Act) and applies to employment in the State Service.
- 1.2 This Direction is binding on all Officers and employees.
- 1.3 The terms and conditions of employment arrangements entered into in accordance with revoked Commissioner's Direction No. 1 operative from 1 July 2008, and in force immediately before the commencement of this Direction, shall continue to apply.
- 1.4 The Head of Agency may delegate a function or power to be exercised in accordance with this Direction, with the exception of Clause 12. – Secondment of a Person or Employee.
- 1.5 All new arrangements made on or after the operative date of this Direction must be in accordance with this Direction.
- 1.6 The provisions of this Direction apply to the employment of employees.

2. NON APPLICATION:

- 2.1 This Direction does not apply to:
 - a) The appointment of a person as a State Service employee under Section 13 of the Act; and
 - b) Heads of Agencies, holders of prescribed offices, senior executives and equivalent specialists.

3. PURPOSE:

- 3.1 This Direction details procedures and sets out minimum requirements in relation to:
 - advertising duties to be filled by permanent appointment or promotion;
 - fixed-term employment, including advertising and change of employment status;
 - subsequent selections from a selection process;
 - employment requirements for persons other than Australian citizens and permanent residents;
 - advertising requirements for higher duties allowance;
 - essential requirements;

- promotion without advertising;
- probation; and
- secondment of a person or employee.

4. ADVERTISING DUTIES TO BE FILLED BY PERMANENT APPOINTMENT OR PROMOTION:

4.1 The State Service Principles provide that:

- a) The State Service is a public service in which employment decisions are based on merit [Section 7(1)(b) of the Act].
- b) The State Service provides a reasonable opportunity to members of the community to apply for State Service employment [Section 7(1)(l) of the Act].

4.2 Where it is proposed to permanently appoint a person or promote an employee to perform duties in an Agency, the duties must be advertised in the Gazette unless the State Service Commissioner (the Commissioner) determines otherwise [Section 39(1) of the Act].

4.3 Gazette:

Advertisements for permanent appointments and promotions notified in the Gazette must contain at least the following information:

- name of the Agency;
- vacancy title;
- vacancy identification number;
- salary range;
- specific hours per week/fortnight;
- award and classification level;
- period of employment and employment status;
- region;
- brief description of duties;
- list of essential and/or desirable requirements;
- name and phone number of the contact officer;
- address for the submission of applications;
- closing date for applications.

In addition to the above requirements, notice must appear in the Gazette advising the following:

- that job kits, including statements of duties, selection criteria and application forms, are available at the web address <http://www.jobs.tas.gov.au/>;

- that applicants for a vacancy published in the *Gazette* should note that, for a period of six months from the date of publication, the selection process for that vacancy may be used to fill subsequent or similar vacancies on the same conditions as originally published.

4.4 **Closing date for applications:**

- a) Applications for advertisements in the *Gazette* close no less than 9 calendar days after the date of publication in the *Gazette*. The Head of Agency may approve a later closing date.
- b) Late applications may be accepted at the discretion of the Head of Agency.

5. **FIXED-TERM EMPLOYMENT:**

General:

- 5.1 Permanent employment is the usual form of employment in the State Service. However, where necessary to meet the operational needs of an Agency, fixed-term employees may be appointed for a specified term or for the duration of a specified task [Section 37(3)(b) of the Act].
- 5.2 A fixed-term employee engaged on a casual basis is, unless otherwise specified in an Award or Industrial Agreement, engaged to work on an irregular basis and at short notice and where the offered engagement may be accepted or rejected on each and every occasion, thus excluding a casual employee from being placed on a regular employment roster.
- 5.3 A Head of Agency may employ a person on a fixed-term basis for a total, continuous period of up to 24 months. This period includes the initial appointment; any subsequent appointment to substantially the same duties; or any extensions to those appointments.
- 5.4 Fixed-term appointments, including extensions, that provide continuous employment in excess of 24 months, may only be made in special and compelling circumstances and with the prior approval of the Commissioner.
- 5.5 A Head of Agency must not make fixed-term appointments that could lead to the creation of an expectation of continuing employment; that is, employment that is of a continuing or indefinite nature or for which there is no expressed or implied end date to the contract of employment.
- 5.6 Before any decision is made to make or extend a fixed-term appointment, the Head of Agency must give consideration as to whether the duties would be more appropriately undertaken on a permanent basis.

Advertising duties to be filled on a fixed-term basis:

- 5.7 For any fixed-term appointment up to and including 6 months, the Head of Agency may make a selection from employees in their agency without advertising. Such appointments shall not be subject to any extensions.

- 5.8 For any fixed-term appointment of more than 6 months and up to and including 12 months the Head of Agency must:
- (a) seek expressions of interest from within that Agency, and such other Agencies as the Head of Agency determines, for the duties to be performed; or
 - (b) select a person who is registered on a fixed-term employment register approved in accordance with Section 18(1)(b) of the Act; or
 - (c) advertise the duties to be performed in accordance with Clause 4 of this Direction.
- 5.9 For any fixed-term appointment greater than 12 months, the Head of Agency must advertise the duties in accordance with Clause 4 of this Direction.

Requests by the Head of Agency to change the employment status of a fixed-term employee to a permanent employee:

- 5.10 Under Section 37(4) of the Act, the Minister, on the recommendation of the Commissioner, may change the employment status of an employee from a fixed-term employee to a permanent employee.
- 5.11 In order for the Commissioner to make such a recommendation to the Minister, a request supporting the change of employment status may be received from the Head of Agency and submitted on “*Application for Change of Employment Status by a Head of Agency*” (Form 5 attached to this Direction).
- 5.12 A Head of Agency should only seek the change in employment status of a fixed-term employee to a permanent employee with the agreement of that employee and where the following criteria are met:
- (a) The fixed-term employee's selection to perform the duties satisfied a merit test in that:
 - i. the employee was selected to perform the fixed-term duties on merit following advertising of those duties in the Gazette; or
 - ii. the employee is a participant in a State Service recruitment program approved in accordance with Section 18(1)(j) of the Act; and
 - (b) The fixed-term employee possesses all the necessary prerequisites to become a permanent employee; and
 - (c) The fixed-term employee possesses the necessary qualifications to undertake the duties to which he or she is to be assigned; and
 - (d) The fixed-term employee has been employed in excess of 12 months and the fixed-term employment appointment has been undertaken strictly in accordance with this Direction.
- 5.13 The Head of Agency must provide full justification for the level at which the change of employment status is being sought, including how the request complies with the Merit Principle.

5.14 Head of Agency requests for a change of employment status of a fixed-term employee will be expected to comply with the above criteria. However, where special and compelling circumstances are considered to exist, a request for a change of employment status that does not meet one or more of the above criteria may be made. In such cases, full details of the special and compelling circumstances supporting the request must be provided to the Commissioner. Such requests will be considered on a case-by-case basis.

Requests by a fixed-term employee to change his/her employment status from a fixed-term employee to a permanent employee:

5.15 Under Section 37(4) of the Act, the Minister, on the recommendation of the State Service Commissioner, may change the employment status of an employee from a fixed-term employee to a permanent employee.

5.16 In order for the Commissioner to make a recommendation, a request supporting the change of employment status may be received from a fixed-term employee and submitted on “*Application for Change of Employment Status by an Employee*” (Form 6 attached to this Direction).

5.17 The fixed-term employee may only seek a change in his/her employment status from a fixed-term employee to a permanent employee where the following criteria are met:

(a) The fixed-term employee's selection to perform the duties satisfied a merit test in that:

- i. the employee was selected to perform the fixed-term duties on merit following advertising of those duties in the Gazette; or
- ii. the employee was selected from a fixed-term employment register approved in accordance with Section 18 (1) (b) of the Act; or
- iii. the employee is a participant in a State Service recruitment program approved in accordance with Section 18(1) (j) of the Act; and

(b) The fixed-term employee possesses all the necessary prerequisites to become a permanent employee; and

(c) The fixed-term employee possesses the necessary qualifications to undertake the duties to which he/she seeks to be assigned; and

(d) The fixed-term employee has completed in excess of 24 months continuous employment within the State Service, not including any period approved by the Commissioner under Clause 5.4 of this Direction. However, continuous employment for the purposes of this clause is not interrupted by a period of employment approved by the Commissioner under Clause 5.4 of this Direction; and

- (e) The fixed-term employee can establish the duties being undertaken within the State Service during the period of employment were substantially the same; and
- (f) The fixed-term employee can establish an expectation of continuing employment, that is, employment that is of a continuing or indefinite nature or for which there is no expressed or implied end date to the contract of employment.

5.18 The employee must provide full justification for the level at which the change of employment status is being sought, including how the request complies with the Merit Principle.

5.19 When a request for the change of employment status is received from a fixed-term employee, the Commissioner will refer the request to the Head of Agency [in which the fixed-term employee is employed at the time of making the request] for comment. The Head of Agency's response will be taken into consideration by the Commissioner when making a decision on whether or not to recommend the change of employment status to the Minister.

6. SUBSEQUENT SELECTIONS FROM A SELECTION PROCESS:

6.1 A Head of Agency who, following due process, has selected a person to fill a vacancy, may make a subsequent selection from the same selection process where, within a period of 6 months from the date of advertising the vacancy in the Gazette:

- (a) the successful applicant has failed to take up the appointment or promotion; or
- (b) the successful applicant has vacated the duties to which he/she was appointed or promoted; or
- (c) another vacancy occurs that requires a person or an employee to undertake identical or substantially the same duties at the same Award or Industrial Agreement classification level and under the same conditions as the originally advertised vacancy.

6.2 In making a subsequent selection in accordance with this provision, the Head of Agency must be satisfied that another suitable candidate had been identified in the order of merit documented in the original process.

6.3 A Head of Agency's selection of a person or an employee in accordance with the above process will be subject to the review provisions prescribed in Section 50(1)(a) of the Act.

7. EMPLOYMENT REQUIREMENTS FOR PERSONS OTHER THAN AUSTRALIAN CITIZENS AND PERMANENT RESIDENTS:

7.1 Persons who are not Australian citizens or permanent residents may hold a permanent or fixed-term appointment in the State Service provided that they, at all times, hold and comply with all visa requirements as determined by the Commonwealth Department of Immigration and Citizenship and the *Migration Act 1958*.

8. ADVERTISING REQUIREMENTS FOR HIGHER DUTIES ALLOWANCE:

- 8.1 Where a permanent employee is to receive a higher duties allowance for up to and including 6 months, the Head of Agency may make a selection from permanent employees in their agency without advertising. Such higher duties shall not be subject to any extensions.
- 8.2 Where a permanent employee is to receive a higher duties allowance for more than 6 months and up to and including 12 months the Head of Agency must ensure that:
- (a) expressions of interest had been sought from within that Agency, and such other Agencies as the Head of Agency determined, for the opportunity to perform the duties; or
 - (b) the opportunity to perform the duties had been advertised in the Gazette.
- 8.3 Where a permanent employee is to receive a higher duties allowance for more than 12 months, the Head of Agency must ensure that the opportunity to perform the duties had been advertised in the Gazette.

9. ESSENTIAL REQUIREMENTS:

- 9.1 Where a Head of Agency wishes to specify essential requirements other than those specified in an Award, Industrial Agreement, Legislation, Ministerial Direction or Ministerial Determination, the Head of Agency shall first obtain the approval of the Commissioner [Section 18(1) of the Act]. This includes requirements relating to:
- educational qualifications clarifying or expanding on those that are stipulated only in general terms by an Award or Industrial Agreement;
 - Aboriginal identified and tagged duties [Ministerial Direction No. 12];
 - pre-employment checks [Commissioner's Direction No. 10 – 2001].

10. PROMOTION WITHOUT ADVERTISING:

- 10.1 Promotion of a permanent employee without advertising is not to be made by the Head of Agency without the approval of the Commissioner [Section 40 of the Act]. A Head of Agency may apply for approval for promotion without advertising where it can be demonstrated that special and compelling circumstances exist.
- 10.2 The Commissioner will consider the special and compelling circumstances on a case-by-case basis and will normally only approve promotion without advertising of one classification level.
- 10.3 If the Commissioner approves the intention to promote without advertising, the Head of Agency is to notify that intention in the Gazette and allow 14 days for any aggrieved employee to make application to the Commissioner for a review of the intention to promote without advertising [Section 50(1)(b) of the Act].

- 10.4 If an employee makes application to the Commissioner for a review and that application is determined in favour of the applicant, the duties are to be advertised in the Gazette.
- 10.5 If the Commissioner dismisses the application the nominee is promoted to the new level and the promotion is to be notified in the Gazette.
- 10.6 If no employee makes application to the Commissioner within 14 days for a review of the intention, the nominee is promoted to the new level and the promotion is to be notified in the Gazette.

11. PROBATION:

- 11.1 Probation is to be applied in relation to the appointment of a person as a permanent employee to the State Service [Section 37(6) of the Act].
- 11.2 With the exception of the variations listed in Attachment 1 to this Direction, the period of probation for permanent employees on appointment will be at the Head of Agency's discretion but must be a minimum of 1 month and no more than 6 months from the date of appointment.
- 11.3 Where an employee on probation is absent from duty on approved leave or workers compensation, the Head of Agency may determine that those days do not form part of the employee's period of probation and extend the employee's probation accordingly.
- 11.4 At the end of the period of probation the Head of Agency shall:
- a) confirm the appointment; or
 - b) terminate the appointment in accordance with Section 44(4) of the Act.

12. SECONDMENT OF A PERSON OR EMPLOYEE:

- 12.1 The Commissioner may, if he or she considers it in the public interest to do so and with the agreement of the Head of Agency and, where relevant, an employee, make arrangements for:
- a) a person who is not an employee to undertake duties in their Agency (referred to as a secondment into the State Service) [Section 46(1)(a) of the Act]; and/or
 - b) an employee to undertake duties with an organisation that is not an Agency (referred to as a secondment out of the State Service) [Section 46(1)(b) of the Act].
- 12.2 Persons from outside organisations who are seconded into the State Service are, during the period of their secondment, considered to be employees for the purposes of Section 9 of the Act (Code of Conduct).
- 12.3 A secondment into or out of the State Service is to be:
- for a specified term or for the duration of a specified task; and
 - by secondment arrangement in accordance with Section 46 of the Act.

- 12.4 To enable the Commissioner to make the secondment arrangement, the Head of Agency is to prepare the terms of the arrangement in the format as outlined in Attachment 2 or 3 to this Direction.
- 12.5 The Head of Agency is to have the proposed terms of the arrangement signed by all parties before forwarding the arrangement to the Commissioner for signature. This process must be completed prior to the secondee commencing the secondment. The Commissioner will not make a retrospective secondment arrangement.
- 12.6 For each proposed secondment the Head of Agency is to provide the Commissioner with a statement as to why that secondment is in the public interest.
- 12.7 In respect of a secondment arrangement for an employee under Section 46(1)(b) of the Act, the terms of the arrangement must clearly state the name of the Award/Agreement and the classification level that the employee will return to within the Agency at the conclusion of the secondment arrangement.

Issued on 5 December 2008 by authority of the State Service Commissioner pursuant to Section 20(1) of the Act.

Robert J. Watling
STATE SERVICE COMMISSIONER

SPECIAL PROBATIONARY ARRANGEMENTS [Section 37(6) of the Act]

OCCUPATIONAL GROUPS	PERIOD
<p>Employees of penal establishments or custodial institutions other than persons employed under the Administrative and Clerical Employees Award and the Technical Employees Award, unless previously employed in a permanent capacity in a similar establishment or institution elsewhere.</p>	<p>12 months</p>
<p>Employees appointed to Teacher classifications under the Teaching Service (Tasmanian Public Service) Award.</p>	<p>12 months</p>

Quarantine Officer – Dog Handler:

Appointment confirmation is subject to the possession of, or successful completion of, a Dog Handler’s Certificate issued by the National Trainer (Quarantine Detector Dog Teams).

SECONDMENT ARRANGEMENT**Secondment of a person who is not an employee into a State Service Agency****Section 46(1)(a) State Service Act 2000**

AGREEMENT made this _____ day of _____ 20____ between
Robert J. Watling, State Service Commissioner AND _____

[*the registered name of the organisation where the person is being seconded from*].

Other parties:

Secretary, Department of _____ (hereinafter called 'the Agency').

Mr/Mrs/Miss/Ms _____

[*full name of the secondee*] (hereinafter called 'the secondee').

PURPOSE

This Secondment Agreement is an arrangement for the purpose of facilitating certain person(s) employed by [*an organisation outside the State Service*] being seconded pursuant to Section 46(1)(a) of the *State Service Act 2000* (the Act), into [*a State Service Agency*]. The State Service Commissioner is satisfied that the Secondment Agreement is in the public interest.

It is the intention of the parties to be legally bound by the terms of this agreement.

GENERAL NOTES CONCERNING SECONDMENT AGREEMENTS

1. A Secondment Agreement is to be made between [*the full legal registered name of the employing organisation*] and the State Service Commissioner.
2. A person entering a Secondment Agreement on behalf of the organisation or the Agency must have the legal authority to do so.
3. Secondment Agreements must be signed by all the parties involved before forwarding to the State Service Commissioner for signature.
4. Secondment Agreements must be forwarded to the State Service Commissioner within reasonable time prior to the commencement of the secondment arrangement. Retrospective Secondment Arrangements will not be made by the Commissioner.

CONTENTS OF SECONDMENT AGREEMENTS

Without limiting the generality of the forgoing, the following issues should be considered when preparing a Secondment Agreement:

1. The commencement and finishing date of the Secondment Agreement (hereinafter called 'the secondment period').
2. The full-time or part-time employment status and hours of work to be undertaken by the secondee within [*the Agency*] during the secondment period.
3. The duties to be undertaken by the secondee during the secondment period.
4. The secondee will be subject to the control and direction of the Agency and will be required to observe the conditions of employment and any other legislative requirements applicable to employment within the State Service during the secondment period.
5. The secondee's secondment period shall be deemed to be service for the purpose of [*insert the appropriate Long Service Leave Act*] (if applicable).
6. During the secondment period, what are the responsibilities of the Agency in respect to:
 - The salary to be paid to the secondee [*award classification including level and grade and the title of the award/agreement*] during the secondment period;
 - The payment of the secondee's superannuation contributions during the secondment period into an approved superannuation fund, being [*insert appropriate superannuation fund details*];
 - The payment of payroll tax that is payable in respect of the secondee's salary and employee superannuation contributions;
 - Workers' compensation coverage for the secondee; and
 - Payment of all the secondee's annual leave and sick leave accrued and taken during the secondment period.
7. The Secondment Agreement may be terminated prior to its expiry date as follows:
 - By the secondee resigning his or her employment with their employing organisation; or
 - By the Agency on the basis of misconduct, unsatisfactory performance or due to operational requirements; or
 - By any one of the parties upon giving 14 days notice to the other parties; or
 - As otherwise agreed by the parties.
8. On the expiration of the Secondment Agreement, the secondee will be entitled to recommence duties in a [*full-time or part-time details*] capacity as [*title, award classification including salary, level and grade, award/agreement and location*] with [*their employing organisation*].
9. The terms and conditions of this Secondment Agreement may be varied with the written agreement of all parties.

10. The Secondment Agreement should have the signatures of all parties involved in the agreement as set out below:

Robert J. Watling
State Service Commissioner

.....
Signature

Date

Name
Chief Executive Officer or Authorised Officer
(*Organisation*)

.....
Signature

Date

Other parties to this agreement:

Name
Secretary, Department of _____

.....
Signature

Date

Name (*name in full*)
Employee or Seconded

.....
Signature

Date

SECONDMENT ARRANGEMENT**Secondment of a State Service employee to an organisation outside the State Service****Section 46(1)(b) State Service Act 2000**

AGREEMENT made this _____ day of _____ 20____ between Robert J. Watling, State Service Commissioner AND _____
 _____ [the registered name of the organisation to whom the person is being seconded].

Other parties:

Secretary, Department of _____ (hereinafter called 'the Agency').

Mr/Mrs/Miss/Ms _____ [full name of the secondee] (hereinafter called 'the secondee').

PURPOSE

This Secondment Agreement is an arrangement for the purpose of facilitating certain person(s) employed pursuant to the provisions of the *State Service Act 2000* (the Act) within [a State Service Agency], being seconded pursuant to section 46(1)(b) of the Act, to [an organisation outside the State Service]. The State Service Commissioner is satisfied that the Secondment Agreement is in the public interest.

It is the intention of the parties to be legally bound by the terms of this agreement.

GENERAL NOTES CONCERNING SECONDMENT AGREEMENTS

1. A Secondment Agreement is to be made between [the full legal registered name of the organisation] and the State Service Commissioner.
2. A person entering a Secondment Agreement on behalf of the organisation or the Agency must have the legal authority to do so.
3. Secondment Agreements must be signed by all the parties involved before forwarding to the State Service Commissioner for signature.
4. Secondment Agreements must be forwarded to the State Service Commissioner within reasonable time prior to the commencement of the Secondment Arrangement. Retrospective secondment arrangements will not be made by the Commissioner.

CONTENTS OF SECONDMENT AGREEMENTS

Without limiting the generality of the forgoing, the following issues should be considered when preparing a Secondment Agreement:

1. The commencement and finishing date of the Secondment Agreement (hereinafter called 'the secondment period').
2. The full-time or part-time employment status and hours of work to be undertaken by the secondee with [*the organisation*] during the secondment period.
3. The duties to be undertaken by the secondee during the secondment period.
4. The secondee will be subject to the control and direction of [*the organisation*] and will be required to observe the conditions of employment and any other legislative requirements applicable to [*the organisation*] during the secondment period.
5. The secondee's secondment period shall be deemed to be service for the purpose of the *Long Service Leave (State Service Employees) Act 1994*, pursuant to section 46(3) of the Act.
6. The secondee shall be treated as being a contributor for the purposes of the *Retirement Benefits Regulations 1994* (if applicable).
7. During the secondment period, what are the responsibilities of the organisation in respect to:
 - The salary to be paid to the secondee [*award classification including level and grade and the title of the award/agreement*] during the secondment period;
 - The payment of the secondee's superannuation contributions during the secondment period into an approved superannuation fund, being [*insert appropriate superannuation fund details*];
 - The payment of payroll tax that is payable in respect of the secondee's salary and employee superannuation contributions;
 - Workers' compensation coverage for the secondee; and
 - Payment of all the secondee's annual leave and sick leave accrued and taken during the secondment period.
8. The Secondment Agreement may be terminated prior to its expiry date as follows:
 - By the secondee resigning his or her employment with the State Service; or
 - By the organisation on the basis of misconduct, unsatisfactory performance or due to operational requirements; or
 - By any one of the parties upon giving 14 days notice to the other parties; or
 - As otherwise agreed by the parties.
9. On the expiration of the Secondment Agreement, the secondee will be entitled to recommence duties in a [*full-time or part-time details*] capacity as [*title, award classification including salary, level and grade, award/agreement and location*] with [*the Agency*].
10. The terms and conditions of this Secondment Agreement may be varied with the written agreement of all parties.

11. The Secondment Agreement should have the signatures of all parties involved in the agreement as set out below:

Robert J. Watling
State Service Commissioner

.....
Signature

Date

Name
Chief Executive Officer or Authorised Officer
(*Organisation*)

.....
Signature

Date

Other parties to this agreement:

Name
Secretary, Department of _____

.....
Signature

Date

Name (*name in full*)
Employee or Seconded

.....
Signature

Date



Office of the State Service Commissioner

State Service Act 2000

APPLICATION FOR CHANGE OF EMPLOYMENT STATUS BY A HEAD OF AGENCY

In accordance with Commissioner’s Direction No.1, Employment in the State Service, I request that this application for change of employment status from a fixed-term employee to a permanent employee be considered by the Commissioner.

DETAILS OF EMPLOYEE CONCERNED:

Full Name:(Mr/Mrs/Miss/Ms)
 (SURNAME) (GIVEN NAMES)

Home Address: Postcode:

Phone No: (Business) (Private)

Current Duties and Level Assigned:

Agency: Division: Location:

Length of time employee has been undertaking fixed-term duties (at time of application)

Agency contact name and number:.....

PLEASE INDICATE WHETHER THE EMPLOYEE MEETS THE FOLLOWING CRITERIA:

- The employee was selected to perform the duties on merit following advertising of those duties in the Gazette;
OR
The employee was a participant in an approved State Service recruitment program approved in accordance with s18(1)(j) of the *State Service Act 2000*.
- The employee possesses all the necessary prerequisites to become a permanent employee.
- The employee possesses the necessary qualification to undertake the duties to which he/she seeks to be assigned.
- The employee has been employed for 12 months or more and the fixed-term employment appointments have been undertaken strictly in accordance with Commissioner’s Direction No.1, Employment in the State Service.
OR
This request does not meet one or more of the above criteria, but special and compelling circumstances exist.
- This application has been made with the agreement of the employee concerned.

PLEASE SUPPLY INFORMATION WITH THIS APPLICATION TO SUPPORT THESE STATEMENTS AND JUSTIFY YOUR APPLICATION IN TERMS OF THE LEVEL AT WHICH YOU ARE SEEKING A CHANGE IN EMPLOYMENT STATUS AND HOW THIS REQUEST COMPLIES WITH THE MERIT PRINCIPLE.

Signed:
 (Head of Agency or appropriately authorised delegate)

Date: / /

Office of the State Service Commissioner
 2nd Floor, 144 Macquarie Street, Hobart, Tasmania
 Telephone: (03) 6233 3637
 Internet: <http://www.osscc.tas.gov.au>

GPO Box 621, Hobart 7001
 Facsimile: (03) 6233 2693
 Email: osscc@dpac.tas.gov.au



Office of the State Service Commissioner

State Service Act 2000

APPLICATION FOR CHANGE OF EMPLOYMENT STATUS BY AN EMPLOYEE

In accordance with Commissioner’s Direction No.1, Employment in the State Service, I request that my application for change of employment status from a fixed-term employee to a permanent employee be considered by the Commissioner.

DETAILS OF EMPLOYEE SUBMITTING THE APPLICATION:

Full Name: (Mr/Mrs/Miss/Ms).....
(SURNAME) (GIVEN NAMES)

Home Address: Postcode:

Phone No: (Business) (Private)

Current Duties and Level Assigned:

Agency: Division: Location:

Length of time I have been undertaking fixed-term duties (at time of application)

PLEASE INDICATE WHETHER YOU MEET THE FOLLOWING CRITERIA:

- I was selected to perform the duties on merit following advertising of those duties in the Gazette; OR
 I was selected from an approved Fixed-Term employment register approved in accordance with s18(1)(b) of the *State Service Act 2000*; OR
 I was a participant in an approved State Service recruitment program approved in accordance with s18(1)(j) of the *State Service Act 2000*.
- I possess all the necessary prerequisites to become a permanent employee for the employment category in question.
- I possess the necessary qualification to undertake the duties to which I seek to be assigned.
- My period of continuous employment within the State Service is in excess of that prescribed in Commissioner’s Direction 1, clause 5.17 (d).
- The duties I undertook during the period of employment within the State Service were substantially the same.
- I have an expectation of continuing employment with the Agency with whom I am employed.

PLEASE SUPPLY INFORMATION WITH THIS APPLICATION TO SUPPORT THESE STATEMENTS AND JUSTIFY YOUR APPLICATION IN TERMS OF THE LEVEL AT WHICH YOU ARE SEEKING A CHANGE IN EMPLOYMENT STATUS AND HOW THIS REQUEST COMPLIES WITH THE MERIT PRINCIPLE.

NOTE: The information you supply with your application will be made available to the Agency with whom you are applying to change employment status.

Signed:

Date: / /

(Applicant or appropriately authorised delegate)

Office of the State Service Commissioner
 2nd Floor, 144 Macquarie Street, Hobart, Tasmania
 Telephone: (03) 6233 3637
 Internet: <http://www.osscc.tas.gov.au>

GPO Box 621, Hobart 7001
 Facsimile: (03) 6233 2693
 Email: osscc@dpac.tas.gov.au