

ANTI-CORRUPTION COMMISSION, STAFF

1920. Mrs C.L. Edwardes to the Premier

I refer to the answer to question on notice No. 1278 of 2003 and ask -

- (a) has the Premier been made aware that the Anti Crime Commission (ACC), made all of its staff permanent employees under Section 6 of the ACC Act 1988;
- (b) is the Premier disputing the power of the ACC under Section 6 of the ACC Act 1988, to make the appointments;
- (c) if yes, on what grounds is the Premier disputing the appointments;
- (d) if not, what is the rationale behind the answers to parts (a), (b) and (c) of question on notice No. 1278;
- (e) what is the name and position of the person, from the Public Sector Management Branch of the Department of Premier and Cabinet, who gave the Industrial Relations Commission (IRC), on 27 June 2003, an assurance that ACC staff were considered permanent employees and that they would be treated 'fairly and equitably';
- (f) have staff at the ACC since been informed that their permanency and entitlements will expire with the ACC Act 1988;
- (g) does the Premier concede that this action would be viewed as a forced redundancy;
- (h) will the Premier commit to comply to the spirit of his letter to the CPSU/CSA of 25 June 2003 and the statement made to the IRC, on 27 June 2003, and treat the staff of the ACC in accordance with the Public Sector Management (Redeployment and Redundancy) Regulations 1994; and
- (i) if the Premier is not willing to commit to his previous statements regarding the future and status of ACC staff, when does he expect to be in a position to tell ACC staff what action will be taken?

Dr G.I. GALLOP replied:

- (a) On 1 July 2003 the ACC supplied to Government a list of 78 employees it had determined on 28 November 2002 would have indefinite tenure with the ACC.
- (b) No.
- (c) Not applicable.
- (d) The Department of the Premier and Cabinet was initially informed that the ACC converted all staff to indefinite tenure in line with Premier's Circular 2002/17 relating to the use of fixed term contracts. Subsequent correspondence indicated that this was not the case and it was necessary for the Department to clarify a number of issues with the ACC.
- (e) In proceedings before the Industrial Relations Commission on 27 June 2003, the Director, Employment in the Public Sector Management Division, Ms Michelle Reynolds, confirmed that the Public Sector Management (Redeployment and Redundancy) Regulations 1994 apply to employees of the ACC with indefinite tenure, and the Department would accept that the regulations apply to employees of the ACC with indefinite tenure. The Government has consistently maintained that public sector employees affected by the decision to establish the Corruption and Crime Commission will be treated in a fair and equitable manner.
- (f) The Government has never advised ACC staff that entitlements expire with the ACC Act.
- (g) Not applicable.
- (h) The Public Sector Management (Redeployment and Redundancy) Regulations 1994 apply to employees of the ACC with indefinite tenure.
- (i) Not applicable.