

## EXPLANATORY STATEMENT

### **PUBLIC SECTOR MANAGEMENT AMENDMENT STANDARD 2006 (No 3) DISALLOWABLE INSTRUMENT NO DI2006 -7**

*Public Sector Management Act 1994*

#### Legislative Context

The *Public Sector Management Act 1994* (the Act) regulates the management of the public sector. Section 251 of the Act empowers the Commissioner, with the written approval of the Chief Minister, to make Public Sector Management Standards (the Standards) for the purposes of the Act.

#### Outline

Standard 3 deals with terms and conditions of employment for ACT public servants. Under Rule 8 of Part 2, Linguistic Availability/Performance Allowance (LAPA) is payable to staff members where their duties involve communication on a regular basis in languages other than English, and their competency in that language meets the level required for accreditation by the National Accreditation Authority for Translators and Interpreters (NAATI).

The changes to Standard 3, Part 2, Rule 8.2 clarify the rates of LAPA payable. Where the staff member is accredited at NAATI Level 1 or where payment is authorised by the Chief Executive on certification of the staff member's supervisor, LAPA is payable at Rate 1. Where the staff member is accredited at NAATI Level 2, or any other higher NAATI level, LAPA is payable at Rate 2. Other minor formatting changes are also made.

Part 7 (Standard 7) is a new Part of Standard 7, which sets in place obligations on Chief Executives to implement Safety Management Systems having regard to whole-of-government Injury Prevention and Management polices including the ACT Public Service Workplace Health Strategic Plan.

This obligation is in alignment with the ACT Government Injury Prevention Agreement which was endorsed by Agency Chief Executives and unions. The Agreement complements the occupational health and safety legislative framework and creates responsibilities for managers, employees and unions with the aim of achieving best practice occupational health and safety in the ACT Public Service.

#### Financial Impact

Nil.

#### Schedule 1 to this Explanatory Statement

To provide context for these amendments the text of each Rule immediately before this instrument took effect are contained in Schedule 1. Where a new Rule is inserted, and there is no corresponding previous Rule, this will be reflected in the Instrument using the words '*Insert Standard ...*'.