

Our Ref:

Enquiries: Mr S Whish-Wilson

CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 3 OF 1989

PORTABILITY OF LEAVE ENTITLEMENTS WITHIN THE PUBLIC SECTOR

Government has endorsed the full portability of accrued and pro-rata sick, annual and long service leave entitlements in the event of promotion, transfer, secondment, appointment or redeployment within the Western Australian public sector.

The recently amended Treasurer's Instruction 520 "Transfer and Secondment of Employees" (copy attached), accommodates this policy and should be applied in all of the abovementioned instances. It has an effective operating date of February 6, 1989.

For the purposes of portability, service will be deemed continuous notwithstanding a lapse of up to one week between an employee's resignation from one department or authority, and the commencement of his/her employment with another. This is in keeping with the present public sector Long Service Leave Administrative Instructions, and General Order.

There are a number of industrial awards which require the employer to pay accrued or pro-rata leave entitlements on termination of employment. Pending the amendment of these awards, employers must fully comply with the existing award provisions.

For your information, Treasurer's Instructions have application in all government departments, and those statutory authorities listed in schedule 1 of the Financial and Administration and Audit Act (copy Attached).

All queries as to the practical application of Treasurer's Instruction 520 should be directed to the Treasury Department.

BRENDA ROBBINS
EXECUTIVE OFFICER
12 May 1989 [mkraey]

520 TRANSFER AND SECONDMENT OF EMPLOYEES

Where an employee is transferred or seconded between departments or statutory authorities the following procedures shall apply:

(i) when an employee is transferred or seconded between departments or statutory authorities principally funded from the Consolidated Revenue Fund, payment at the existing salary or wage shall be made by the department or statutory authority from which the employee is transferring until the end of the pay period in which the date of transfer occurs.

(ii) where one or both of the departments or statutory authorities involved in the transfer or secondment are operating outside of the Consolidated Revenue Fund, the cost of the employee's salary or wage shall be met by the department or statutory authority to which the employment service is provided.

(iii) any amount due consequent upon transfer at a higher salary or wage shall be paid by the department or statutory authority to which the employee is transferred; and

(iv) any annual, long service or sick leave payable to the employee shall be charged to the department or statutory authority employing the employee at the time the leave is taken notwithstanding that the employee may have accrued such leave entitlement in other departments or statutory or authorities except that where one or both of the departments or statutory authorities involved operate outside the Consolidated Revenue Fund they may enter into and give effect to mutually acceptable arrangements whereby at the time the leave is taken each bears an equitable share of the cost of that leave based on the employment with that department or statutory authority.

While we endeavour to provide accurate and up-to-date information, DOPLAR is not responsible for the results of any actions taken or not taken based on the