

ACTPS EA Bargaining One-off Cost of Living payment -Eligibility Requirements – Health Professionals Enterprise Agreement



Overview

As part of the pay offer for the 2022/2023 bargaining round, an additional component of a \$1,250 one-off Cost of Living Supplement (CoL) payment will be offered to eligible employees covered by the *ACT Public Service Health Professionals Enterprise Agreement 2023-2026* (HPEA) who meet the eligibility criteria on the date the agreement is made.

One-off CoL payment

The ACT Government recognises there are immediate cost-of-living pressures on workers and has offered a one-off \$1,250 CoL payment to eligible employees. Provided the agreement returns a 'Yes' successful vote outcome on 30 April 2024 (the date the agreement is made), the CoL payment will be processed on 23 May 2024 for eligible employees covered by the HPEA.

The CoL payment is taxable and will be paid in the one pay period as a lump sum and is not included as part of the annual salary increase.

The CoL payment is subject to the summary of conditions outlined as follows:

- The CoL payment only applies to current employees covered by the enterprise agreement who are employed on the date the agreement is made. This includes those employees who are on leave (i.e. full pay, half pay, double pay, or a period of leave without pay) on the date the agreement is made.
- The CoL payment is paid to part time and casual employees based on eligibility as outlined below.
- Casual employees must have worked within 3 months of the date the agreement is made to be eligible for the CoL payment with further eligibility outlined below.

Please note that this means that not all casual staff who have an open/active employment record on the date the agreement is made will receive the CoL payment. Please see further details below regarding the eligibility criteria for specific employee types.

Eligibility

Full-time employees

Full time employees will be eligible for the \$1,250 CoL payment if they are a permanent or temporary employee covered by the HPEA, employed on the date the agreement is made.

Part-time employees

Part-time employees will be eligible for the CoL payment based on the below determination:

- a) A part-time employee working 0.5 Full Time Equivalent (FTE) or above (50% of their positions nominal fulltime hours or above) on the date the agreement is made will receive the full \$1250 CoL payment.

- b) A part-time employee working below 0.5 FTE (less than 50% of their positions nominal hours) on the date the agreement is made will have their CoL payment paid at a pro rata amount based on their hours on that date.

Casual employees

Eligibility of Casual employees to qualify for the CoL payment, will be determined as below.

Casual employees:

- a) must have worked in the 3 months immediately prior to the date the agreement is made; and
- b) have an active casual employment record i.e. the employee has not been ceased in the Human Resources Information Management System.

Please note: Casual employees are not required to have undertaken a casual shift or have worked on the date the agreement is made to be eligible for the CoL payment.

For casual employees, the CoL payment will be based upon the average weekly hours worked by that casual employee in the 26* pay periods preceding the date the agreement was made (capped at \$1,250).

A casual employee working an average of 0.5 FTE (a minimum of 50% or above of their positions nominal fulltime hours) will receive the full \$1,250 CoL payment.

A casual employee working an average of below 0.5 FTE (less than 50% of their positions nominal hours) will have their CoL payment paid at a pro rata amount based on their average hours.

If the casual employee has been employed on a casual basis for a period less than 12 months prior to the date the agreement was made their CoL payment will be calculated based on their average hours of work over the period of their employment (capped at \$1250).

Note: If the casual employee performs more than one casual role or a casual role and a part-time role, the pro rata amount of the \$1250 CoL payment will be based on their full-time equivalent status for each role (subject to the same averaging rules above) with the total payment capped at \$1,250.

Ineligible employees

Employees will not be eligible for the CoL payment where:

- a) an employee's employment ends before the date the agreement is made.
- b) The employee is employed on the date after the date the agreement is made.

Note: Where employees were employed at the time of the ballot period, but ceased before the date the agreement is made, they are not eligible to receive the CoL payment. Where an employee's employment ends on or after the date the agreement is made, and they were employed on the date the agreement is made, they are eligible to receive the CoL payment.

Transfers across ACTPS Enterprise Agreements

Where an employee holds a substantive role or is on a temporary transfer to a position covered by the HPEA on the date the agreement is made, they will be eligible for the CoL payment based on their full-time equivalent status.

Where the employee has continuous employment and moves between agreements and subsequently becomes eligible for one or more CoL payments as a result, each employee may only receive a payment capped up to \$1,250.

Leave

Where an employee is on any form of leave on the date the agreement is made, they will receive the CoL payment based on their employment status (part-time or full-time) on the date the agreement is made.

Impact of employee's start date

The CoL payment is only paid to employees who are covered by the HPEA and who are employed on the date the agreement is made.

Payment to eligible employees

If the agreement is made by returning a 'Yes' successful vote outcome on 30 April 2024 the CoL payment will be paid on 23 May 2024, to employees who have met the eligibility criteria.

If the agreement does not return a 'Yes' successful vote outcome on 30 April 2024, the CoL eligibility and payment dates will be revised and new dates provided once the Enterprise Agreement proceeds to Access again.

Frequently asked questions

Q: Is the CoL payment of \$1,250 pre or post tax?

A: \$1,250 is the pre-tax or gross amount.

Q: Will employer superannuation contributions apply to the CoL payment?

A: Yes, employee superannuation contributions will be paid on the CoL payment in accordance with the superannuation fund rules.

Q: If I have 2 AGSs and work part time/full time in one and as a casual in the other on the date the agreement is made, will I automatically receive 2 CoL payments based on both employments?

A: No. A calculation of the FTE hours from both AGSs will be assessed and calculated on a pro-rata amount where relevant to determine the CoL payments. The total of all CoL payments is then capped at a maximum of \$1,250 per employee and can only be paid the one time.

Q: If I commence employment after the date the agreement is made but before the CoL payments have been paid for employees under the relevant enterprise agreement, will I receive the CoL payment?

A: No, you must be employed on xx xxxx 2024 to receive the payment.

Q: If I vote on the relevant enterprise agreement but cease employment before the date the agreement is made, will I get the CoL payment?

A: No, you must be employed on the date the agreement was made to receive the payment.

Q: If I put my notice of resignation in before the date the agreement was made but my termination date is after the date the agreement was made, will I receive the CoL payment?

A: Yes, even though a formal resignation has been submitted, if you remain employed on either eligible date, you are eligible for a single instance of the cost of living payment.

Q: I am currently completing a Graduated Return to Work (GRTW) program and am working reduced hours. Will my CoL payment be based on my reduced hours?

A: No, the payment will be based on your nominal hours of employment. If you were working full time hours before commencing the GRTW and your position hours have remained as full time while on the GRTW, you will be paid the FTE amount of the CoL payment. If you were formally part time before commencing a GRTW, the CoL payment will be subject to the pro rata rules as set out above.

Q: I have an active workers compensation claim and might be Post 45 weeks on my claim by the time the date the agreement was made. Will the CoL payment be reduced because of being in receipt of workers compensation or being Post 45 weeks on my claim?

A: Being in receipt of compensation payments, whether pre or post 45 weeks, will have no impact on the CoL payment calculation. The CoL payment is based on your nominal position hours and is not counted as earnings to reduce compensation top up.