

Know Your Rights: Employment Direction 1

RECENTLY there have been changes made to **Employment Direction 1 – Employment in the State Service**.

The employer (Premier Hodgman) has powers to make and to change Employment Directions under Section 17 of the State Service Act (without consultation).

Previously Employment Direction 1 allowed an employee to apply to their Head of Agency to change their employment status from fixed term to permanent if they met a series of criteria. This meant fixed term employees who had been appointed on merit whose duties continued beyond the term of their contract could be appointed permanently to undertake those duties.

The new Employment Direction allows for a fixed term employee who has undertaken the same duties for a period of 24 months to apply to their Head of Agency to have their duties advertised on a permanent basis rather than the fixed term employee being converted to permanent to undertake those duties.

This means that the position would go through the vacancy control process prior to advertising and potentially an identified employee could be appointed to those duties before the position is advertised, leaving the fixed term employee without a job. While this might be good news for the identified employees it's certainly bad news for the fixed term employee and shows that we need to keep a close eye on changes to Employment Directions.