



Public Service (Subsection 24(1)—National Mental Health Commission Non-SES Employees) Determination 2024

I, Paul McCormack, Acting Chief Executive Officer of the National Mental Health Commission, make the following determination.

Dated 15 March 2024

A handwritten signature in blue ink, appearing to read 'Paul McCormack', is written over the page.

Paul McCormack
Acting Chief Executive Officer of the National Mental Health Commission

Contents

1 Name	1
2 Commencement	1
3 Authority	1
4 Application	1
5 Definitions	1
6 Purpose	1
7 Period of operation	1
8 Adjustment of salary	2
9 One-off payment	2
Schedule 1—Salaries	1

1 Name

This determination is the *Public Service (Subsection 24(1)—National Mental Health Commission Non-SES Employees) Determination 2024*.

2 Commencement

This determination commences on the date it is signed.

3 Authority

This determination is made under subsection 24(1) of the *Public Service Act 1999*.

4 Application

This determination applies to non-SES employees or equivalent that are employed by the National Mental Health Commission and proposed to be covered by the National Mental Health Commission Enterprise Agreement 2024-2027.

5 Definitions

In this determination:

Base salary means the employee's base salary including, if applicable, higher duties allowance and casual loading. For employees on maintained salaries, the base salary will be the maintained salary including, if applicable, higher duties allowance and casual loading.

Enterprise agreement means the National Mental Health Commission Enterprise Agreement made in accordance with section 182 of the *Fair Work Act 2009*.

Reference date means the date the enterprise agreement is made in accordance with section 182 of the *Fair Work Act 2009*.

6 Purpose

The purpose of this determination is to provide employees with a one-off payment and increases to base salary. This is being provided in recognition of employees having reached in-principle agreement on the enterprise agreement before 14 March 2024.

7 Period of operation

- (1) This Determination is in force for the period:
 - (a) beginning at the start of the day this Determination commences; and
 - (b) ending at the earlier of the following:

- (i) the start of the day that another determination under section 24(1) of the *Public Service Act 1999* that applies to the employees and expressly revokes this determination comes into force.
- (ii) the start of the day that an enterprise agreement made in accordance with the *Fair Work Act 2009* that covers the employees commences operation.

8 Adjustment of salary

- (1) Schedule 1 has effect.

9 One-off payment

- (1) Employees employed on the reference date will receive a one-off payment on the next practicable pay date on or after the reference date. The one-off payment is equal to 0.92 per cent of the employee's base salary immediately before the salary increase at Column 4 of Schedule 1 being applied. Subject to paragraph 9(3), employees will not be entitled to the one-off payment if the employee is, on the reference date:
 - (a) on leave without pay;
 - (b) absent from work without pay; or
 - (c) receiving workers' compensation payments under the *Safety, Rehabilitation and Compensation Act 1988*.
- (2) The payment in (1) is to be calculated:
 - (a) for part-time employees, pro-rated based on their agreed part-time hours as at the reference date, subject to (3);
 - (b) for casual employees, based on their average weekly hours worked as a proportion of the full-time equivalent weekly hours. The weekly hours will be averaged over the 12 month period immediately prior to reference date, or over the employee's period of employment where that period is less than 12 months. A casual employee's base salary for this purpose includes casual loading.
- (3) If the Agency Head considers that the one-off payment does not appropriately reflect the pay an employee would have received between 21 December 2023 and the first pay date on or after the reference date, the Agency Head may determine that the payment is pro-rated based on different agreed hours. This includes, but is not limited to, the following circumstances:
 - (a) where an employee is not otherwise entitled to a payment under paragraph 9(1); and
 - (b) where an employee's full-time or agreed part-time hours at the reference date is less than their regular or average agreed hours in the 12 month period immediately prior to the reference date.

Schedule 1—Salaries

Note: See section 8.

Classification	Salary levels	As at 31 August 2023	From 14 March 2024	From 13 March 2025	From 12 March 2026
EL2	Zone of discretion	\$172,552	\$179,454	\$186,273	\$192,606
	EL 2.4	\$162,939	\$169,457	\$175,896	\$181,876
	EL 2.3	\$154,262	\$160,432	\$166,528	\$172,190
	EL 2.2	\$145,582	\$151,405	\$157,158	\$162,501
	EL 2.1	\$136,905	\$142,381	\$147,791	\$152,816
EL1	Zone of discretion	\$143,372	\$149,107	\$154,773	\$160,035
	EL 1.4	\$134,058	\$139,420	\$144,718	\$149,638
	EL 1.3	\$128,579	\$133,722	\$138,803	\$143,522
	EL 1.2	\$123,100	\$128,024	\$132,889	\$137,407
	EL 1.1	\$117,623	\$122,328	\$126,976	\$131,293
APS6	Zone of discretion	\$112,675	\$117,182	\$121,635	\$125,771
	APS6.4	\$102,859	\$106,973	\$111,038	\$114,813
	APS 6.3	\$99,686	\$103,673	\$107,613	\$111,272
	APS6.2	\$96,063	\$99,906	\$103,702	\$107,228
	APS 6.1	\$91,529	\$95,190	\$98,807	\$102,166
APS5	APS5.4	\$87,000	\$90,480	\$93,918	\$97,111
	APS5.3	\$85,186	\$88,593	\$91,960	\$95,087
NMHC Graduate Broadband APS 5	APS 5.2	\$82,921	\$86,238	\$89,515	\$92,559
	APS 5.1	\$80,202	\$83,410	\$86,580	\$89,524
APS4	APS4.4	\$78,387	\$81,522	\$84,620	\$87,497
	APS4.3	\$76,123	\$79,168	\$82,176	\$84,970
NMHC Graduate Broadband APS 4	APS4.2	\$74,312	\$77,284	\$80,221	\$82,949
	APS4.1	\$72,047	\$74,929	\$77,776	\$80,420
APS3	APS3.4	\$69,779	\$72,570	\$75,328	\$77,889
	APS3.3	\$67,970	\$70,689	\$73,375	\$75,870
NMHC Graduate Broadband APS 3	APS3.2	\$66,154	\$68,800	\$71,414	\$73,842
	APS3.1	\$64,797	\$67,389	\$69,950	\$72,328
APS2	APS2.4	\$62,980	\$65,499	\$67,988	\$70,300
	APS2.3	\$61,173	\$63,620	\$66,038	\$68,283
	APS2.2	\$58,450	\$60,788	\$63,098	\$65,243
	APS2.1	\$56,639	\$58,905	\$61,143	\$63,222
APS1	APS1.4	\$55,279	\$57,490	\$59,675	\$61,704
	APS1.3	\$53,013	\$55,134	\$57,229	\$59,175
	APS1.2	\$51,655	\$53,721	\$55,762	\$57,658
	APS1.1	\$50,297	\$52,309	\$54,516	\$57,497