

# FACT SHEET: ONE-OFF PAYMENT<sup>1</sup>

*Nursing/Midwifery (South Australian Public Sector) Enterprise Agreement 2022*

## **CLAUSE 6.2 – ONE-OFF PAYMENTS**

1. *Subject to this clause,*
- a. *An employee, who is employed as at 1 October 2022 (the applicable date), will be paid a one-off payment of \$1,500 (gross), as soon as reasonably practicable following approval of the Enterprise Agreement by the SA Employment Tribunal; and*
  - b. *An employee, who is employed as at 1 October 2023 (the applicable date), will be paid a one-off payment of \$1,500 (gross), as soon as reasonably practicable after 1 October 2023,*
- provided the employee meets the eligibility criteria applicable to the one-off payment.*
2. *Each one-off payment stands alone and will:*
  - a. *Be adjusted on a pro-rata basis for part time employees. The pro-rata calculation will be based on the employee's average hours per week worked in the 12 weeks immediately preceding the last full pay period ending on or prior to the applicable date.*
  - b. *Be adjusted on a pro-rata basis for casual employees who have an entitlement to take long service leave or receive a payment in lieu as at the applicable date. The pro-rata calculation will be based on the employee's average hours per week worked in the 12 weeks immediately preceding the last full pay period ending on or prior to applicable date.*
  - c. *Not count for any other purpose whatsoever despite any other term of this Agreement, or any applicable award, unregistered agreement, contract of employment, formal or informal local workplace or agency practice, or otherwise; nor will it operate as a precedent for any future or other agreement.*
  - d. *Be paid as soon as reasonably practicable after the applicable date and in no circumstances whatsoever can an employee in respect of the applicable date be, or become, entitled to more than the amount of the one-off payment.*
3. *An employee who is employed in more than one contract of employment or position that comes within the Agreement will be entitled to be paid in aggregate no more than a total of the applicable one-off payment, i.e., \$1,500 (gross).*
4. *This clause will only apply to an employee who is bound by this Agreement, employed as at the applicable date, and working in a classification and agency listed in the Agreement, in the applicable pay period ending on or immediately prior to the applicable date. This clause will cease to have any further effect in relation to an employee following payment of the applicable one-off payment pursuant to this clause.<sup>2</sup>*
5. *The detail about methodology and eligibility applicable to this one-off payment is included in the 'Fact Sheet: One-off Payment' as referred to in 'The Agreement Explained', which is to be read and applied in giving effect to this clause.*

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<sup>1</sup> This Fact Sheet is part of 'The Agreement Explained' and is to be read as a whole.

<sup>2</sup> Each one-off payment is separate from the other, and a reference to "applicable date" and "applicable pay period" means the date and pay period referred to in relation to the applicable one-off payment (i.e., 1 Oct. 2022 or 1 Oct. 2023).

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### 1. METHODOLOGY FOR ELIGIBLE<sup>3</sup> EMPLOYEES

#### 1.1 Maximum payable

In respect of each one-off payment, no eligible<sup>3</sup> employee can receive more than the amount of a one-off payment (\$1,500 gross). Nor can an employee with more than one contract of employment or more than one position receive, in aggregate, more than the full time equivalent of the one-off payment (\$1,500 gross).

#### 1.2 Full time employee

A full time employee will receive the full entitlement of the one-off payment (\$1,500 gross).

#### 1.3 Pro-rata adjustments<sup>4</sup>

A pro-rata adjustment applies to a part time employee, or to a casual employee who has an entitlement to take long service leave or receive a payment in lieu as at the applicable date.

#### 1.4 Pro-rata for part time employee

A part time employee will receive a pro-rata amount calculated using the employee's average weekly hours worked in the 12 weeks immediately preceding the last full pay period ending on or prior to the applicable date, or their minimum contract hours, whichever is the greater.

The average hours worked includes paid leave taken in the 12 week period but excludes any overtime worked.

#### 1.5 Pro-rata for casual employee who has an entitlement to take or receive a payment in lieu of long service leave at the applicable date

A casual employee who has an entitlement to take long service leave or receive a payment in lieu of as at the applicable date will receive a pro-rata amount calculated using the employee's average hours worked in the 12 weeks immediately preceding the last full pay period ending on or prior to the applicable date.

The average hours worked includes all hours for which the employee is required to attend work and is paid for the work performed or paid leave (excluding overtime).

#### 1.6 Taxation

Each one-off payment is taxable as per the Australian Taxation Office (ATO) requirements. That is, tax will be applied in accordance with guidelines set out by the ATO for one-off payments.

#### 1.7 Salary Sacrifice

Salary sacrifice will not be applicable to the one-off payment.

#### 1.8 Not count for any other purpose

A one-off payment is simply that, a payment that is made once; and is not made, counted for, or applied to, any other purpose whatsoever.

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<sup>3</sup> See para 2 below ('Eligibility').

<sup>4</sup> All pro-rata and other calculations in relation to a one-off payment will be rounded, up or down, to the nearest dollar.

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### 2. ELIGIBILITY

#### 2.1 Employee

To be eligible for a one-off payment, an employee (including a casual employee who has an entitlement to take long service leave or receive a payment in lieu of as at the applicable date) must, as at the applicable date:

- be bound by the *Nursing/Midwifery (South Australian Public Sector) Enterprise Agreement 2022*; and
- be employed as at the applicable date; and
- be working in a classification and agency listed in the Agreement; or
- have been on paid leave (excluding casuals), in the pay period ending on or immediately prior to the applicable date.

#### 2.2 Casual employees

A casual employee who, as at the applicable date, does not have the requisite period of effective service for the purpose of having accrued an entitlement to take long service leave, or receipt payment in lieu of such an entitlement, is not eligible.

Temporary labour hire personnel are not employees of the agency and are therefore not eligible.

#### 2.3 Executives

Executive employees are not bound by the *Nursing/Midwifery (South Australian Public Sector) Enterprise Agreement 2022* and are not eligible.

#### 2.4 Workers compensation

Employees on workers compensation are eligible. Where an employee is absent from work or is working reduced hours under the terms of a recovery/return to work plan, the entitlement to the one-off payment will be based on the employee's contract hours of employment if the worked hours are less than the contract hours.

If a person is in receipt of workers compensation but is not employed as at the applicable specified date, the person is not eligible.

Any queries relating to the entitlement to the one-off payment for employees in receipt of workers compensation payments are to be referred to their local Human Resources.

#### 2.5 Leave without pay

An employee who is on leave without pay on an applicable date is eligible, except where an employee is on a term contract within a classification and agency that is not covered by this Agreement.