



ACT
Government

Environment, Planning and
Sustainable Development

[REDACTED]

Dear [REDACTED]

Notice of Disciplinary Action

Dr Annie Lane, Executive Director, Environment Division wrote to you on 20 June 2017 and advised you of her findings in relation to allegations of misconduct against you. Dr Lane also advised you that she proposed to take disciplinary action and the reasons for that decision.

You were invited to provide a written submission in relation to Dr Lane's findings and the proposed discipline actions.

I have received your written submission and considered it in reaching my final decision. My consideration of your submission is detailed as follows.

I note that you have accepted Dr Lane's findings and have not disputed the proposed sanction. Consequently, I am of the view that a financial penalty in the amount of \$5,600 will be implemented effective from the date of this letter.

I have considered your request to repay the fine in instalments, specifically your request to set the amount at \$100 per fortnight. I note that there is no set recovery period specified in relation to the maximum amount of time an employee has to pay a financial penalty. However, the overpayment provisions within the enterprise agreement do provide some guidance and stipulate that the total recovery period would not normally exceed 12 months (26 pay periods). On this basis, this would set the fortnightly repayments at \$215.

In coming to a decision I have weighed the requirement to ensure that all monies owed to the ACT Government are recovered within a reasonable period of time and your current financial situation. Therefore, I have determined that the total amount will be recovered over a 18 months (approximately 39 pay periods) equating to a fortnightly deduction of \$143.

Right of Appeal

You may appeal this decision under Section J of the *ACT Public Service Administrative and Related Classifications Enterprise Agreement 2013-2017* (the Agreement) (attached) by submitting a written application to the Convenor of Appeal Panels within fourteen calendar days of receipt of this letter at the following address:

Attention: The Convenor of Appeal Panels
Public Sector Workplace Relations
Chief Minister, Treasury and Economic Development
GPO Box 158
Canberra ACT 2601

Email: ACTPS_Appeals@act.gov.au


In accordance with the disposal schedules under the *Territory Records Act 2002*, records of investigations of misconduct allegations which are found proven must be retained for a minimum of five years.

Should you require support in relation to this matter, the Employee Assistance Program (EAP) is available to provide confidential and professional counselling to you and members of your family throughout this process. You may access this service by phoning OPTUM on 1300 361 008.

Alternatively you can contact NewAccess on 6287 8066. NewAccess is a program run by Beyond Blue and services are free and confidential.

If you have any queries please contact Myfanwy Greenwood Assistant Manager Human Resources on 6205 8496.

Yours sincerely



Daniel Iglesias
A/g Executive Director
Environment Division
Environment, Planning and Sustainable Development

4 July 2017