



This Guide provides key information on the **Employment notices** which Agencies must complete when *appointing new employees, adjusting terms and conditions for existing employees’, and exiting employees from their respective agencies.*

Types of Employment notices:

- Notice of Appointment (NOA): for new employees
- Notice of Employment Adjustment (NEA) : when adjusting terms and condition of employment for current employees
- Notice of Cessation of Employment (NCE): when exiting an agency

Employer Responsibilities

- Ensuring compliance with policy when submitting employment notices
- Ensuring that the relevant employment notices (NOA, NEA, NCE) are completed correctly and all associated documents are provided

This next section outlines how to complete the respective forms going through each section of the form by number:

NOTICE OF APPOINTMENT (NoA)

For new appointments to Government or to your Agency.

Note: if the appointment is for an existing employee who through a valid Recruitment process (refer Recruitment Policy) has been appointed to a new position in your Agency then complete an NEA.

1. **Agency name:** Add the name of your agency
2. **Employee Details:** Personal details of employee, address and emergency contact person
3. **Employment Term (Status):** Select the relevant employment option that applies to this appointment. Is the position Permanent, Fixed term or casual?
4. **Employment Type: (hours of work):** Is this position full-time or part-time?

Employment Term	Employment Types
<ul style="list-style-type: none"> • Permanent (no end date) • Fixed Term (end date) • S31 Fixed Term (end date) • Casual employees (intermittent hours) 	<ul style="list-style-type: none"> • Full Time (up to 35 hours) • Part Time (less than 35 hours)

5. **Position Appointment:** This asks you to provide information about the position that is;
 - The title of the position
 - Work Area position Code: you do not need to complete this is for OPSC use only
 - Division the position is located in
 - Is this position on the approved organisation structure?
 - Position title of the Manager that this role reports to
 - Which Island is the position located on
 - Effective date of appointment, that is, the start date of the appointment.
 - If the position is for a fixed period then you also need to include the end date of the appointment.
6. **Remuneration:** In this section you need to outline:
 - The number of hours the employee will work. This is important and annual leave and sick leave are calculated on hours worked.
 - The position band and date the position was evaluated. If you are not sure you can check with OPSC.

- Annual Base Salary: Note that you should always use the base salary relevant for the Band Grade and Step and the hours of work are part-time or the appointment commences part way during the year then you should always add the words “pro rata per annum” after the salary figure.
- The hourly rate written should that that of the annual salary (see example below)

EXAMPLE: Part Time Employee	
Hours per week	20
Band G, Step 3	\$27,895 pro rata per annum
Hourly Rate	\$15.2849 (note the hourly rate will be the same whether the position is part-time or full-time.)

ALLOWANCES:

- **Market Premium:** Pre-approval from the Public Service Commissioner is required for a market premium. You can apply by using Annex 21 of the Recruitment Policy located on the shared drive: <L:\Shared Data for Everyone\OPSC\HRM Policies, Guides, Standards and Pamphlets\Policies\Recruitment Policy 2023>
- The availability of specialist skills and knowledge within the labour market and calibre of employees required within the Public Sector can trigger paying market premiums.
- Jobs in bands ‘F’ through to ‘K’ require specialist knowledge or experience that may not be available in the national job market.
- Premiums may be paid for the following reasons:
- Paying within the salary band is not sufficient for those with specialist or technical skills.
- Labour market conditions reflect a shortage for certain skills or jobs
- Recruitment risk - where attempts to recruit to the job have failed due to salary
- Retention risk - where it is difficult to retain a key employee with rare attributes within the salary range of the band

Employers who wish to pay Premiums must:

- Present a strong case with evidence to the Public Service Commissioner prior to offering a market premium
- Ensure the Agency has sufficient budget to pay the premium
- Place employees receiving a premium on a fixed term contract
- Ensure employees understand the ‘premium’ is an additional allowance to their base salary and can be eliminated if the reasons for paying the premium no longer exist
- Commit to reviewing the necessity for the premium at the end of the employee’s contract and seeking pre-approval from the Public Service Commissioner
- Provide an annual report to the Public Service Commissioner on the status of all approved premiums
- When making an offer you must ensure that the base salary and market premium are listed separately on the forms (and in the Offer letter and Employment Agreement) and that the employee is aware the premium is for a fixed period, as is their appointment:

EXAMPLE: Market Premium Employee	
Band G, Step 3	\$27,895 pro rata per annum
Market Premium	\$10,000 pro rata per annum
Total Remuneration	\$37,895 pro rata per annum

- **Higher Duties Allowance:** For Acting posts where an employee is temporarily appointed to cover a position of higher compensation and authority (refer Employment and Employee Type Guide 2023 for more information).
- **Accommodation/Housing Allowance:** As applicable
- **Relocation Allowance:** where applicable for employee’s relocating from Rarotonga to the Pa Enua or vice versa temporarily
- **Management allowance:** management work
- **Additional Responsibilities Allowance:** for work related activities
- **Transport Allowance:** where applicable for work
- **Other allowances:** for work related activities
- **Employment Superannuation:** calculate 5% of base salary and allowances as Employer contribution
- **Total Gross Annual Salary:** total amount of personnel appropriate the Agency contributes for the employee

- **Funding:** If Donor Funding covers some or all of the salary outline this as well on the form. Note: You may be required to provide evidence for payroll of Donor Funding.
- **Position Appropriated (Office Use Only):** You do not need to complete this.

7. **Leave Entitlements:** Standard leave entitlements are:

- Annual Leave: 20 days (140 hours) Full-time and pro-rata part-time
- Sick Leave: 10 days (70 hours) annually and pro-rata part-time
- Other Leave: Special Leave capped and uncapped (refer Leave Policy)

8. **Superannuation: CINSF or GSF**

- Select yes or no to indicate which whether employee is CINSF or GSF. Note all employees not already on GSF will be subject to CINSF
- Not mandatory for 60+ or under 18 years
- Either a confirmation of registration letter or CINSF application must be provided with the Employment documentation

9. **Work Status:** Tick applicable category

- Cook Islands Maori
- Permanent Resident (PR Certificate needs to be provided)
- Expatriate (Work Permit details)

Note: New appointments for Expatriate employees require consultation with the Public Service Commissioner prior to an offer of employment being made. This can be applied for using the S21 form and providing a cover letter and relevant documents to the Public Service Commissioner.

Required Documents: Please ensure all required documents are sent with the NOA as separate attachments and have the following naming convention:

- SMITH, John_NOA
- SMITH, John_Passport
- SMITH, John_PR
- SMITH, John_WP
- SMITH John_Birth Cert
- SMITH, John_Drivers Licence
- SMITH, John_CINSF
- SMITH, John_RMD
- SMITH, John_Employment Agreement
- SMITH, John_Offer of Employment
- SMITH, John_Bank Deduction

Note: All employment notices must be signed by the Head of Agency.

NOTICE OF EMPLOYEE ADJUSTMENT (NEA)

For any changes to terms and conditions of employment such as:

1. Employee Name Change
2. Employment Term: FTE
3. Employment Type (hours of work)
4. Changes to Employee position
5. Remuneration Adjustment *OR*
6. Special leave conditions such as extended periods of leave without pay beyond one month.

Note: If an existing employee who through a valid Recruitment process (refer Recruitment Policy) has been appointed to a new position in the same Agency then complete an NEA.

Required documentation:

- Birth/marriage certificate (if name change)/Copy of passport ID photo page
- Letter to employee confirming adjustment
- Signed Employment Agreement (for new position or market premium)

Note: All employment notices must be signed by the Head of Agency.

NOTICE OF CESSATION (NCE)

To be completed for employees leaving your Agency:

1. Employee Details
2. Department Reasons: select the options that apply.
3. An Exit Interview is available online or in word via the OPSC website <https://www.psc.gov.ck/cook-island-acts> as well as on the shared government drive L:\Shared Data for Everyone\OPSC\HRM Policies, Guides, Standards and Pamphlets\Policies\Leaving the Service Policy 2023. We encourage you offer an exit interview to the employee and tick the appropriate box on the NCE form. OPSC will monitor this and send a survey link to the employee if needed.
4. Final Payouts: This section must detail any accrued and unpaid Annual Leave to be paid with final pay and work hours due. Check with your employee whether their final pay should include their normal deductions. If they want to make changes they will need to complete a deduction form and you must submit this with their NCE before the date of their final pay.
5. Tax Certificate: Ensure the employee provides a personal email for their tax certificate to be sent to.

Required documentation:

- Resignation letter from employee
- Resignation acceptance letter from Employer (or Termination letter)
- Time sheet (extra hours due)
- Payroll Deduction form if any changes are to be made to deductions for final pay

Note: All employment notices must be signed by the Head of Agency.

OTHER PROVISIONS

- All employees must be included on the agency's approved organisational structure
- All employees must be paid salaries and allowances according to the Remuneration policy approved by Cabinet for the Public Service.
- All employers must deduct PAYE tax on behalf of employees
- A Notice of Appointment form must NOT be used for independent contractors or self-employed
- Individuals or consultants, as they are service providers – NOT employees of the Public Service

For queries or issues in relation to employment notices contact the Office of the Public Service Commissioner on phone (682) 29 421 or email: hrforms@cookislands.gov.ck

ANNEX 01 – Employment Term and Types

This Guide provides key information on the different types of employees.

FULL TIME EMPLOYEE

- An employee who works a minimum of 35 hours per week.
- Has a reasonable expectation of working those hours each week.
- Remuneration can be either salaried or a hourly rate.
- Employee has regular hours/days each week.
- Employee has an Employment Agreement outlining the terms and conditions of employment.
- Employee is entitled to 20 days Annual Leave and 10 days Sick Leave per year.
- Employee is entitled to additional Leave entitlements as set out in the CIGOV Leave Policy.
- Employee is eligible for Superannuation on a mandatory basis from the age of 18 years, and optional for employees 60 years and over.

PART TIME EMPLOYEE

- An employee who works less than 35 hours per week.
- Has a reasonable expectation of working those hours each week.
- Remuneration can be either salaried or an hourly rate.
- Employee has regular hours/days each week.
- Employee has an Individual Employment Agreement outlining the terms and conditions of employment
- Employee is entitled to a pro rata of 20 days Annual Leave and 10 days Sick Leave per year.
- Employee is eligible for Superannuation on a mandatory basis from the age of 18 years, and optional for employees 60 years and over.

CASUAL EMPLOYEE

- An employee who works irregular or intermittent hours.
- Is paid an hourly rate.
- Has no reasonable expectation of paid work.
- Is not entitled to Annual or Sick leave.
- Is entitled to be paid double time for working a Public Holiday.
- Employee is eligible for Superannuation on a mandatory basis from the age of 18 years, and optional for employees 60 years and over.

FIXED TERM EMPLOYEE

- Appointments shall be for a specified period of time.
- Appointments shall be for a particular and genuine reason, including S30 & S31 employees.
- All terms and conditions of employment shall be outlined in the Letter of Offer of Employment and the Employment Agreement, including the start and end dates.
- Employee is eligible for Superannuation on a mandatory basis from the age of 18 years, and optional for employees 60 years and over.
- The reasons for a Fixed Term include, but are not limited to:
 - To relieve where the incumbent is away on approved leave for a period of time (e.g. Maternity Leave or extended periods of absence).
 - To complete a specific project, including donor funded projects for a specified time.
 - To fill a vacancy pending a permanent appointment (Refer to Acting Posts)
 - Any other genuine business or commercial reasons.
- Fixed Term appointments are not permitted to trial or establish the suitability of an employee.
- Employers will provide the employee with a review at least one month before the fixed term end date and advise whether their employment will end or the employee will be offered an extension. Any

extension must be in writing using the Variation of Employment Agreement template letter and agreed to by both parties.

EXPATRIATE EMPLOYEE (S30)

- Is not a Cook Islander or a Permanent Resident.
- Is employed on a Fixed Term Employment Agreement that outlines the terms and conditions of employment, including Leave, Benefits or Allowances.
- The Head of Ministry or Agency must consult with the Public Service Commissioner (PSC) in writing before making the appointment.

SPECIALIST/EXPERT SKILLED EMPLOYEE (S31)

- The PSC must approve a specialised skilled employee before making an offer of employment to the preferred applicant.
- The position must be on the approved organisation structure.
- The position is regarded as being of a special nature requiring specialised skills or expertise.
- The position can only be filled by a suitably qualified and experienced employee.
- Can be remunerated at market based conditions.
- Is employed on a Fixed Term Employment Agreement that outlines the terms and conditions of employment, including Leave, Benefits or Allowances.

ACTING POSITIONS

- An Acting Position is when an employee is appointed temporarily (due to a vacancy or the temporary absence of an incumbent) to an **acting position** of higher compensation and authority. The following guidelines apply:
- The position is temporary, up to six months and no longer than 12 months.
- The reasons an employee can assume the responsibilities of a higher level include but are not limited to:
 - Maternity Leave.
 - Extended Leave.
 - Official Overseas Travel.
 - Vacancy caused through unsuccessful recruitment or extended leave
 - Study Leave.
- If the employee is in an existing position within the Public Sector before the Acting Position, the employee is to be reinstated to original position and remuneration.
- All terms and conditions of the Acting Position must be included in the Variation to Employment Letter.

INTERNSHIPS

- Internships are a recruitment mechanism targeted toward engaging Cook Islands secondary students, tertiary students, volunteers and graduates to work within the Cook Islands Public Sector.
- The two main types of Interns covered under this Policy include:
 - Casual or volunteer employees who can be employed to work for up to three months, paid or unpaid;
 - Full or part time employees who can be employed to work for a period over three months and for a maximum of two years in a paid capacity.
- Employer obligations relating to full or part time Interns include:
 - Full or part time intern positions, who are paid from the personnel budget line must be on the agencies organisational structure.
 - Full or part time Intern positions must be recruited using the Recruitment Policy.

- The employment agreement with the Intern must include a training and development plan

SECONDMENTS

- Secondments are a recruitment mechanism to assist Public Sector agencies to secure human resources on a temporary (fixed-term) basis to meet functional needs of the agency. It can also be used for capability development.
- Secondments can be used by Public Sector Employers and Employees:
 - Where agencies require additional resourcing on a temporary fixed-term basis.
 - To undertake Government functions on a periodic basis e.g. General Elections.
 - For employee capability development.
- A Secondment is the transfer of an employee either externally to a Host Agency, or internally to another division or section of the employees Home Agency.
- A Seconded Employee should return to their Home agency upon completion of the secondment, unless an extension or transfer of employment is agreed by all parties in writing, and the seconded period is no more than 12 months, including any extensions.
- Host Agency can advertise secondments using the Streamlined Recruitment process provided in the Recruitment Policy.

Other:

1. All employees must be included on the agency's approved organisational structure
2. All employees must be paid salaries and allowances according to the Remuneration policy approved by Cabinet for the Public Service.
3. All employers must deduct PAYE tax on behalf of employees
4. A Notice of Appointment form must NOT be used for independent contractors or self-employed
5. Individuals or consultants, as they are service providers – NOT employees of the Public Service