



MOPS Employment Conditions

Comparative snapshot across jurisdictions

Commonwealth • NSW • Victoria • Queensland • WA • SA • Tasmania



Section 26 Industrial proceedings excluded

Members of Parliament Staff Act 2013 (NSW)

- (1) In this section, a reference to the employment of a staff member is a reference to—
- (a) the engagement of, or failure to engage, a person under this Act, or
 - (b) dispensing with the services of, or other termination of the employment of, a person employed under this Act, or
 - (c) any disciplinary proceedings or action taken against a person employed under this Act, or
 - (d) the remuneration or other conditions of employment of a person employed under this Act.

- (2) The employment of a staff member, or any matter, question or dispute relating to any such employment, is not an industrial matter for the purposes of the Industrial Relations Act 1996.

- (3) Parts 6, 7 and 9 of Chapter 2 of the Industrial Relations Act 1996 do not apply to or in respect of the employment of a staff member.
Part 7 – Unfair Dismissal
Part 7 – Public Sector Disciplinary appeals
Part 9 – Unfair Contacts

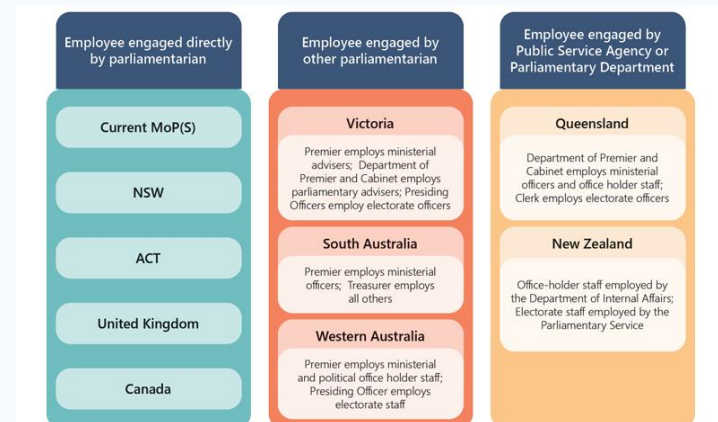
- (4) Any State industrial instrument (whether made before or after the commencement of this section) does not have effect in so far as it relates to the employment of staff members.

- (5) No proceedings for an order in the nature of prohibition, certiorari or mandamus or for a declaration or injunction or for any other relief, lie in respect of a matter that is declared by this section not to be an industrial matter for the purposes of the Industrial Relations Act 1996.

Key takeaways

Key points to brief members and stakeholders

- Most jurisdictions have legislation, but the industrial framework differs sharply.
- NSW is under a Determination and the working document notes staff are prohibited from having an instrument.
- Employer arrangements vary: some staff are directly engaged by parliamentarians, others by parliamentary or public sector bodies.
- Security, termination triggers and severance are uneven across jurisdictions.
- Salary structures are not directly comparable and the NSW table is noted as not up to date.



NSW staff are comparatively exposed on industrial voice, security and termination settings.

Legislation and industrial instrument

Framework comparison

Jurisdiction	Legislation	Industrial instrument
Cth	Yes	Enterprise Agreement with Fair Work
NSW	Yes	Determination; prohibited from having an instrument
Vic	Yes	Enterprise Agreement with Fair Work
Qld	Yes	Agreement and Award
WA	Yes	Agreement
SA	Limited	Agreement
Tas	Yes	Agreement and Award

Tenure and job security

Employment security settings are uneven

NSW

Temporary < 6 months; ongoing > 6 months; relief staff < 3 months ST and > 3 months LT.

Victoria

Permanent, temporary and casual employment, including casual conversion; can be severed on loss of election, loss of trust or death of member.

Queensland

Permanent and temporary employment available, with a job security clause to maximise permanent employment, constrained by the Act.

WA

Term on Member employment preferred, with fixed term and casual relief arrangements.

South Australia

Unless temporary or casual, appointment is for the period of the member's election.

Tasmania

Royal Prerogative Contract and fixed-term full-time arrangements; termination appears linked to State Service Act settings.



NSW MoP staff deserve clear, enforceable and modern employment protections.

Compared with other jurisdictions, there are uneven arrangements in industrial instruments, employer structures, job security, termination and pay transparency.

NSW staff should not be left behind while comparable staff in other jurisdictions have clearer frameworks and stronger protections.

Clearer protections

Industrial voice

Secure employment

Updated salaries



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