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**CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 13 OF 2008**

**CIVIL SERVICE ASSOCIATION GENERAL AGREEMENTS 2008 – AGENCY  
RESPONSIBILITY FOR SALARY ARREARS**

The 2008 General Agreements negotiated with the Civil Service Association include a new provision specifying which employer is responsible for the payment of salary arrears accrued from the first pay period commencing on or after 26 February 2008 to 2 September 2008.

In summary, the agreements require the agency which was the employer of an employee at the date of registration of the agreement – 2 September 2008 – to pay all of the employee's salary arrears. This includes payment to employees who, prior to 2 September 2008, moved from one agency to another:

- (a) without changing agreement coverage; or
- (b) who have changed agreement coverage (although the CSA must be respondent to each agreement).

The employer cannot opt out of this requirement if the affected employee was in their employ on 2 September 2008. Similarly, as the obligation lies with the employer as at 2 September, agencies cannot invoice an employee's previous employer for the salary arrears.

The General Agreement Implementation Guidelines and Explanatory Notes provided in Circulars to Departments and Authorities No's 11 and 12 of 2008 give examples to further explain these requirements.

**BOB HORSTMAN  
A/EXECUTIVE DIRECTOR  
LABOUR RELATIONS**

19 September 2008