

Commission Chief Executive Directive No. 06/12: Employees Requiring Placement

1 Purpose:

- 1.1 To establish a framework for the management of employees who require placement as a result of workplace change in a manner that supports Government workforce management priorities.

2 Commencement date:

- 2.1 2 July 2012

3 Legislative provisions:

- 3.1 *Public Service Act 2008* – sections 25, 42, 46, 53, 55, 133, 134, 138 and 178.

4 Application:

- 4.1 This directive applies to all chief executives and tenured public service employees as defined under the *Public Service Act 2008*.
- 4.2 In accordance with section 55 of the *Public Service Act 2008*, for the purposes of this directive, sections 133 and 134 of the *Public Service Act 2008* are applied to tenured general employees as though they were public service officers.

5 Related information:

- 5.1 Sections 51 and 52 of the *Public Service Act 2008* and section 687 of the *Industrial Relations Act 1999* apply.
- 5.2 This directive must be read in conjunction with the directive relating to early retirement, redundancy and retrenchment.

6 Directive:

6.1 Principles

- (a) A flexible, mobile, right sized public service workforce enables departments to respond to government priorities and changing service delivery requirements.
- (b) Chief executives are responsible for managing their departmental workforce to deliver Government priorities.
- (c) Following workplace change, departments and employees are responsible for working co-operatively to give effect to new arrangements.
- (d) Where workplace change impacts on an employee's substantive role, placement of the employee into an alternative role is the joint responsibility of the department and the employee.

6.2 Procedures for employees requiring placement

- (a) In the first instance, the department and the employee must proactively consider options to facilitate the immediate placement of the employee into a suitable alternative permanent role.
- (b) Where an employee is unable to be placed into an alternative permanent role following workplace change, the department must advise the employee in writing that the employee has been

designated as an employee requiring placement **and** provide the employee with two weeks to decide between two courses of action:

- (i) Accept a voluntary redundancy (in accordance with the directive relating to early retirement, redundancy and retrenchment); **or**
- (ii) Pursue transfer (and/or re-deployment) opportunities.
- (c) Where an employee declines a voluntary redundancy under clause 6.2(b)(i), no further voluntary redundancies will be offered.
- (d) Where the employee does not advise of their decision, in writing, within the two week period, the employee will be considered to have elected to pursue transfer (and/or re-deployment) opportunities.

6.3 Department register

- (a) Departments must establish and maintain a register of employees who require placement and who have elected to pursue transfer (and/or re-deployment) opportunities.
 - (i) Employees requiring placement must advise whether they wish to be considered for placement in roles at level only and/or also for placements at levels below their current substantive classification level ('re-deployment'). Where an employee elects to be considered for re-deployment they must specify the lowest classification level to which they consent to being re-deployed.
 - (ii) Departments should discuss opportunities for transfer to all roles where the employee's skills and any necessary accreditations, would require only reasonable re-training for them to be suitable.
- (b) A case manager must be assigned to a registered employee requiring placement to facilitate the placement process.
- (c) A referee statement from a current or recent supervisor must be obtained for all employees on the placement register.
 - (i) The referee statement must include information about the employee's work performance and conduct. The omission of relevant information or the provision of untruthful information by a referee is a breach of this directive and the code of conduct and constitutes grounds for discipline.
 - (ii) Employees requiring placement must be provided with a copy of the referee statement and given an opportunity to respond to any adverse comments. The department must consider any response and determine whether a revised referee statement should be obtained.

6.4 Actions to support placement

- (a) Departments and employees requiring placement must work co-operatively to secure new placements.
 - (i) Employees must actively look for placements including applying for suitable advertised vacancies within and external to their department.
 - (ii) Departments must consider employees requiring placement for temporary and permanent vacancies before proceeding to fill a vacancy by other means.
 - (iii) Departments must provide employees requiring placement with meaningful duties whilst placement opportunities are being pursued.
- (b) To support employment security and permanent placement of employees, the Commission Chief Executive may direct the referral of classes of vacancies to the Public Service Commission (PSC) for the central placement process.

6.5 Central placement process

- (a) Subject to section 6.5(c)(i), a department is to register their employees requiring placement on the central placement register, as soon as practical after the employee has been deemed an employee requiring placement and has declined a voluntary redundancy.
- (b) Registration will occur in the form prescribed by the Commission Chief Executive. The registration process must be jointly undertaken by the employee requiring placement and their case manager.
- (c) A declaration of satisfactory conduct and performance must be made by the department as part of the registration process.
 - (i) Where a referee statement for an employee requiring placement contains adverse information, the employee may not be registered on the central placement register process until the matters identified in the statement have been resolved.
- (d) When registering in the central pool, an employee must:
 - (i) nominate three role categories in which they have the most skill and experience;
 - (ii) attach a copy of their current resume, including the name and contact details of two referees, in the form prescribed by the Commission Chief Executive. The referee checking provisions contained in the directive relating to recruitment and selection apply.
- (e) PSC will review all employees requiring placement in the central pool for possible matches with referred vacancies. The review should take no more than seven (7) days.
- (f) Where the PSC identifies a possible match between the employee's skills and a vacancy, a suitability assessment must be undertaken by the receiving department.
 - (i) For transfers, where the employee is assessed as suitable, a transfer direction is made in accordance with section 133 of the *Public Service Act 2008*. If the employee accepts the direction, a start date (usually no longer than two weeks) is to be agreed. Refusal of a transfer direction shall be managed in accordance with s134 of the *Public Service Act 2008*, provided an employee requiring placement shall be afforded one opportunity to decline a transfer without having to demonstrate grounds. An employee is to be provided with a minimum of five (5) working days in which to advise of their acceptance or refusal of the transfer direction.
 - (ii) For re-deployments, where the employee is assessed as suitable, a re-deployment offer is made. If the employee accepts the offer, a start date (usually no longer than two (2) weeks) is to be agreed. If an employee declines the offer, they will remain in the central placement pool.
 - (iii) A trial placement of up to three (3) months may be agreed where the employee's suitability cannot be reasonably determined through the initial suitability assessment process. PSC must be consulted where a trial period is being considered. The receiving department is responsible for the employee's salary (excluding salary maintenance) during any trial period.
 - (iv) Where the employee is assessed as unsuitable (either following an initial suitability assessment or trial placement), a suitability report must be completed and provided to PSC. PSC will review the report, and if necessary, return it to the department with a recommendation to undertake further assessment activities. Employees must be notified of the outcome of the suitability assessment and reasons in writing.
 - (v) Where more than one employee requiring placement is assessed as suitable, transfer directions shall be on the basis of relative merit between the employees.
 - (vi) The suitability assessment process should take no more than seven (7) working days from identification of the possible match to advice of outcome, including advice of trial placement.
- (g) A refusal or failure by the employee requiring placement to participate in suitability assessment processes may give rise to discipline action.

- (h) Departments must notify PSC where a person ceases to be an employee requiring placement, either as a result of securing a permanent role or separating from the department.

6.6 Review

- (a) Where an employee has been an employee requiring placement for four (4) months, their department, together with PSC, will conduct a review to determine whether continuing efforts to secure a permanent placement for the employee remains appropriate. Where the review determines that reasonable placement efforts have been undertaken and it is not appropriate to continue these efforts, the retrenchment provisions of the directive relating to early retirement, retrenchment and redundancy will apply.
- (b) A department, in conjunction with PSC, may initiate a review at an earlier time if it considers reasonable placement efforts have been undertaken and/or a transfer opportunity for the employee is unlikely to occur as a result of the employee's specialised skill set or location.
- (c) If a review under section 6.6(a) or 6.6(b) results in a decision to continue to pursue placement opportunities, a further review date must be nominated; unless exceptional circumstances apply, the next review date must be no more than three (3) months later than the date on which the review was completed.

6.7 Salary maintenance for transfer and redeployment

- (a) An employee who is transferred at level to another department is to be paid their salary and any applicable allowances by the receiving department from the date of duty.
- (b) An employee who is re-deployed is to be paid by the receiving department at the top pay point of their new classification level plus any applicable allowances.
- (c) In addition to salary arrangements under section 6.7(b), the employee is entitled, for a period of 12 months following redeployment, to be paid the salary and allowances applicable to the substantive role which they held prior to redeployment. The releasing department is to fund the difference between salary and allowances to be paid by the receiving department and the salary and allowances the employee would have been entitled to if they had remained in their substantive position. The employee will not receive any pay point increments during this period but will receive salary increases determined by the applicable industrial instrument in the receiving department.
- (d) For tenured senior executives and for senior officers who have been redeployed, the arrangements outlined in section 6.7(c) are to include any applicable remuneration packaging arrangements specified in a current directive relating to senior executive employment conditions or senior officer employment conditions, as applicable.
- (e) Employees transferred into a permanent role across streams of a classification system will be paid in accordance with the current directive relating to transfer within and between classification levels and systems.
- (f) If an employee is transferred or accepts redeployment to a role which is subject to different conditions established by award or certified agreement then, apart from arrangements outlined in section 6.7(c), the employee is to assume the employment conditions of the role.

6.8 Salary arrangements for secondment and temporary engagements

- (a) Subject to section 6.8(b) salary costs for an employee placed at level in a temporary vacancy in another department are to be met by the receiving department.
- (b) Where an employee accepts a temporary placement in another department at a salary level lower than their substantive level, the income difference will be paid by the releasing department. This provision includes differences in salary due to conditions established by award and certified agreement.
- (c) Salary maintenance paid during secondments or temporary engagements will count towards the salary maintenance period referenced in section 6.7, unless otherwise determined by the chief executive(s).

7 Records

- 7.1 Departments must maintain appropriate records of activities undertaken to support the placement of employees under this directive.

8 Appeals

- 8.1 The provisions of the directive relating to appeals applies.

9 Evaluation and reporting:

- 9.1 Chief executives must report on the implementation of this directive as required by the Commission Chief Executive.

10 Definitions

Categories means the jobs category groups used on Smart Jobs and Careers for advertising

Employee Requiring Placement means an employee who has been unable to be substantively allocated to a role following workplace change (a surplus employee) and includes a person who is surplus as a result of being unattached from their role (relinquishment). It does not include persons who need or are seeking alternative placements as a result of decisions under sections 178 (mental or physical incapacity) or 188 (discipline action) of the *Public Service Act 2008* or following a transfer request.

Department has the meaning prescribed under the *Public Service Act 2008* and includes public service offices and relevant declared public services offices.

Receiving department means a department which has referred a vacancy and/or to which an employee requiring placement is placed on a permanent or temporary basis and may be the same as the releasing department.

Re-deploy means the transfer of employee to a lower classification level, with their consent.

Referred vacancy means a vacancy that is unable to be filled by a department's own employees requiring placement (ERP) and has been referred to the PSC to identify suitable ERPs from the central register.

Releasing department is the department in which an employee requiring placement holds tenure.

Suitable/suitability – an employee is considered suitable for a role if they have the skills and abilities necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment, if required.

Suitability report is a statement outlining the department's assessment of the employee's suitability against the key attributes for the role. Where an employee is assessed as unsuitable, the suitability report must address why reasonable training, induction and on-the-job experience would not enable the employee to satisfactorily undertake the role.

Workplace change includes decisions that affect the services and programs a department delivers, its workforce structures or establishment.

11 Transitional Provisions

- 11.1 An employee who had been registered as an employee requiring placement (irrespective of reason) under *Directive 12/09: Employment arrangements following workplace change*, will be deemed to be an employee requiring placement under this directive from the date of commencement and all conditions of this directive apply.
- 11.2 Within one (1) month of the commencement of this directive, agencies must provide notice in accordance with section 6.2, to all employees to whom section 11.1 applies.
- 11.3 Where a transitioning employee was offered a voluntary redundancy prior to the commencement of this directive, a further voluntary redundancy is to be offered in accordance with section 6.2(b).

Authority:

This directive is made pursuant to section 53, *Public Service Act 2008*.

Commission Chief Executive

Gazetted: 29 June 2012

Supplemental Release

Employees Requiring Placement Procedure

Effective date: August 2012

Version: 1.2

CHB/2012/5105

1. Purpose

This procedure outlines the processes for the management of permanent employees who require placement as a result of workplace change. The processes support Government workforce alignment strategies.

For the purpose of this procedure, Employees Requiring Placement (ERP), are employees:

- whose position becomes surplus to departmental requirements resulting in their substantive role becoming redundant; and
- who are unable to be allocated a substantive role following workplace change.

2. Principles

These arrangements apply to tenured (permanent) public service employees (officers and permanent general employees), including tenured senior executives (SE) and senior officers (SO), as defined under the *Public Service Act 2008*.

These arrangements do not apply to:

- employees engaged under section 122 of the Public Service Act 2008
- senior executives that do not have tenure
- temporary general employees
- temporary employees
- casual employees
- trainees
- cadets
- external contractors/consultants
- volunteers.

3. Scope

The ERP process **does not** apply to employees seeking alternative placement as a result of:

- medical decisions deeming incapacity (mental or physical) to perform their substantive role (refer to PSC Management of transitioning medical Employees Requiring Placement Factsheet)
- disciplinary action
- requests for transfer

This procedure must be read in conjunction with:

- Public Service Commission Directive - Employees requiring placement 06/12
- Public Service Commission Directive - Early retirement, redundancy and retrenchment 11/12

4. Procedure

Step 1 Workplace change and alternative placement options

Following the approval of the revised organisational and structural arrangements, an assessment of the impacts on the workgroup, workforce and individuals must be undertaken to inform the determination of appropriate workforce realignment and alternative placement strategies. These could include:

- a) Direct Transfer

Where a role in the effected unit remains unchanged and currently filled by a permanent employee, the employee is to remain in that role.

In assessing whether an employee can be moved into a position on the basis of a like-to-like transfer, a matching process can be undertaken and the following must be taken into consideration:

- responsibilities and duties of the position compared with the employee's substantive position
- classification of the position being equivalent to the classification of the employee's substantive position
- employment conditions established by an award or certified agreement, if different from the employees substantive position, including but not limited to, salary arrangements across streams, allowances and hours of duty.

b) Seek interest in a voluntary redundancy

Employees affected by workplace change could be invited to indicate their interest in receiving a voluntary redundancy. This approach is confined to particular groups of employees affected by specific decisions (i.e. a decision has been made that there needs to be a reduction of the number of AO3 Administration Officers in a particular business area). Invitation to indicate interest in receiving an offer of redundancy:

- Is made on the basis that The decision about which roles becoming redundant (and which employees are therefore declared surplus) is the decision of the department
- Does not guarantee an offer of a voluntary redundancy
- An employee may choose not to accept a redundancy if one is offered and may choose to pursue alternative placements
- Does not negate the department's responsibility to attempt to identify internal alternative permanent placements at level for surplus employees

c) Expression of interest process for remaining roles

Where there are more employees than vacant positions, it may be appropriate to consider all affected employees for particular groups of positions (e.g. if there are 8 permanent 'policy officers' at the same classification level, however, it is determined that only 5 are required for future service delivery).

All affected tenured employees within the group (at level) are invited to express interest in being transferred into an ongoing role, with the caveat that any employee not expressing interest may be transferred to a new/continuing role at the discretion of the department.

The employee's suitability is assessed against the key attributes of the role.

If employees are invited to express interest, they may be required to provide and/or participate in one or a combination of the following:

- copy of their current resume
- prior knowledge
- written assessment against key attributes of the role
- work/skills tests
- informal interview.

A referee check or additional verification activities could be undertaken. (Refer to the suitability assessment section for further information).

The first -hand prior knowledge of performance and behaviours must be relevant to the key attributes of the role and the principles of procedural fairness are to be applied.

d) Combination of processes

Business area may decide that it is appropriate to combine a number of processes to determine which roles are retained and consequently which employees become surplus.

For example, this may occur where there are specialist roles within a broader role category. A decision may be made to "quarantine" the specialist roles and conduct an expression of interest process (as described above) for the remaining roles.

For each option, a role profile/role description must be used to assess individual's suitability against the key attributes for the role/s.

Decisions are then made on which employees will be transferred into available roles and the employees who do not gain permanent placement are considered surplus, before they are formally declared as an employee requiring placement under Directive 06/12.

These processes should not be used for appointment of employees at levels above their current classification or to positions external to the business area.

It is recommended that a panel comprised of the manager and one other person external to the work unit, should be set up to conduct the assessment. The panel is to be approved by the delegate.

Important Note: These processes must be conducted in an equitable and transparent manner and be well documented to ensure the selected options and outcomes can be qualified under scrutiny. Where adverse comments made by a referee have the potential to affect the selection outcome, the employee must be given an opportunity to respond. Any such response must be documented and taken into consideration by the panel.

Step 2 Identification of employees declared as surplus

If an employee has not successfully transferred into a substantive position in the new organisational structure within the business area, they are declared surplus.

The business area will submit a list of positions and employees identified as surplus to the delegate. The delegate must approve the positions that have been deemed redundant. Details of the substantive holders of the redundant positions, employees declared surplus, are provided to the Executive Director, Human Resources, Corporate Services or Director-General where required. For the Department of Agriculture, Fisheries and Forestry and Department of Tourism, Major Events, Small Business and the Commonwealth Games, details of redundant positions, and employees declared surplus are provided directly to the Director-General.

Step 3 Notification of ERP options

A formal Options letter will be prepared by Human Resources, Corporate Services which includes two options for the employee to consider:

- an invitation to accept a voluntary redundancy offer (in accordance with Directive 11/12 'Early retirement, redundancy and retrenchment') or
- be considered for alternative placement i.e. pursue transfer and/or re-deployment opportunities

The letter will direct the employee to the [GovNet site](#) to access the voluntary redundancy estimate self-assessment calculator which has been developed to give an **estimate** of a voluntary redundancy payment.

From the day of receipt, the employee will have 14 days to respond by completing the Decision Form indicating their decision.

If the employee accepts the voluntary redundancy, the employee's exit date will be confirmed. When determining an employee's exit date, managers should consider QSS payroll processing timeframes and coincide with the end of pay period dates.

Should the surplus employee not accept the voluntary redundancy offer, they are considered for placement within the business area.

If the employee does not advise of their decision, in writing, within the two week period, the employee will be considered to have elected to pursue the transfer and/or re-deployment opportunities.

Step 4 Acceptance of a voluntary redundancy offer

Once the employee has determined which offer they wish to accept, they must complete and submit the Decision Form to Human Resources, Corporate Services.

Human Resources will review the form and where the employee has chosen to accept the voluntary offer provide written confirmation to the employee acknowledging their decision and advising of the separation date. The employee's manager will complete and forward separation documentation to QSS.

Step 5 ERP registration

If the employee does not return the Decision form or has indicated on the Decision Form they wish to pursue transfer and/or re-deployment opportunities, Human Resources, Corporate Services will:

- assign a Case Manager

- arrange for the employee to be recorded on the Departmental ERP and PSC Central Placement registers
- send the employee an ERP registration letter and relevant forms
- review existing department vacancies.

Important note: The employee has a period of four (4) months to secure an alternative placement prior to the commencement of the review process (detailed below). This period commences from the date the employee is registered on the PSC Central Placement register.

The Case Manager will then contact the employee within 24 hours to:

- obtain a copy of their current resume and contact details of two referees
- complete and submit the PSC Registration form and required supporting documents which includes whether they wish to be considered for:
 - Placement in roles at level only (via transfer); and/or
 - Placement at levels below their current substantive classification level (re-deployment) detailing the lowest classification level to which they consent to being re-deployed
 - Nominations for three role categories in which they have the most skill and experience

The Case Manager will contact the manager/supervisor to obtain one referee statement which must include information about the employee's work performance and conduct.

The employee will be provided with a copy of the referee statement and given an opportunity to respond to any adverse comments. The Case Manager will consider any response and determine whether a revised referee statement should be obtained.

The referee statement will be used to provide a declaration of satisfactory conduct and performance to the PSC as part of the registration process. Where the referee statement for an ERP contains adverse information, the employee may not be registered on the Central Placement Register until the matters identified in the statement have been resolved.

At the time of the request, the referee must be advised of their obligation to provide truthful and relevant information in accordance with the provisions of Directive 06/12 and the Code of Conduct.

Human Resources will maintain the departmental ERP register with the following information:

- preferences and status of each ERP placement
- referee statement, resume etc. as obtained by the Case Manager
- placement levels (and locations if relevant) to which the employee has consented being transferred and/or re-deployed
- updated and relevant case information provided by the Case Managers
- placement offers and outcomes for each employee.

The information contained in the departmental register may be provided to the PSC for use in the central placement process across all departments.

Step 6 Departmental ERP placement process

Requests to fill all vacancies (temporary or permanent) are submitted through the Establishment Management Process (EMP).

Important note: Ranger vacancies within NPRSR are currently exempt from the EMP process.

If approval is given to fill the vacancy, Human Resources will:

- review the ERP register and identify possible matches for the vacancy
- forward the vacancy details to the employee and their Case Manager
- forward ERP details to Business Area Contact.

The employee may then contact the Business Area Contact to obtain the Role Description. Following consideration the employee will lodge their interest to be assessed for the role.

The Business Area Contact will facilitate a suitability assessment process for each of the employees who have expressed interest. If required, the employee will be contacted to participate in additional assessment processes. (Refer to suitability assessment section for further information.)

At the conclusion of the suitability assessment process the Business Area Contact will submit the finalised suitability assessment report to the delegate for consideration.

The delegate will provide the report to Human Resources for review. At this time, Human Resources, Corporate Services may choose to refer the report back to the Business Area Contact for further suitability assessment activities to be undertaken.

If a suitable employee has been selected, the business area will make an offer to the employee.

If deemed suitable, one of the following offers (whichever is relevant) will be made:

- transfer direction (in accordance with Section 133 of the *Public Service Act 2008*) or
- re-deployment.

The employee will have five (5) working days to advise of their acceptance or refusal. If accepted, a start date (usually no longer than two weeks) will be agreed.

If an employee declines an offer, the business area must advise Human Resources, Corporate Services. The employee will remain on the departmental register.

If an employee accepts permanent redeployment to a lower level position, there is no right of return to a role at the higher level, once the placement to the lower classification level is finalised, unless through promotion on merit.

If no departmental ERP are deemed suitable, Human Resources will refer the vacancy to the PSC for consideration under the central placement process.

Important note: When refusing either a department transfer direction or PSC transfer direction, an employee must demonstrate 'reasonable grounds' when lodging their refusal. An employee has one (1) opportunity for refusal of a transfer direction, without having to demonstrate 'reasonable grounds'. After this opportunity is exhausted, subsequent transfer directions will be managed in accordance with section 134 of the *Public Service Act 2008*. This may result in termination of employment if the officer cannot establish they have reasonable grounds for the refusal of subsequent transfer directions.

Step 7 PSC central placement process

The PSC will coordinate a centralised ERP process across all departments. All departmental employees requiring placement will also be registered for consideration in the central process.

Human Resources will liaise regularly with the PSC about the:

- registration and placement opportunities for departmental employees through the PSC Central Placement Register; and
- filling of referred vacancies as determined through the Establishment Management Program (after all departmental placement options have been exhausted)

Upon receipt of the completed ERP registration information, the PSC will review all referred vacancies to determine possible matches. This review should take no longer than seven (7) working days.

Where the PSC identifies a suitable match between the employee's skills and a vacancy, a suitability assessment will be undertaken by the receiving department (i.e. the department filling the vacancy).

The PSC will contact the Departmental ERP Contact Officer to advise them of the match. The contact officer will provide the Case Manager with the vacancy information. The Case Manager will liaise between the employee and the receiving department throughout the suitability assessment process.

The employee must participate in the suitability assessment process. (Refer to Suitability Assessment section for further information)

The suitability assessment process should take no more than seven (7) working days. If deemed suitable, offers will be made in accordance with the departmental process as detailed above.

If this offer is the first offer for the employee, and they decline the offer, they will remain in the PSC central placement pool.

Important note: When refusing either a department transfer direction or PSC transfer direction, an employee must demonstrate 'reasonable grounds' when lodging their refusal. An employee has one (1) opportunity for refusal of a transfer direction, without having to demonstrate 'reasonable grounds'. After this opportunity is exhausted, subsequent transfer directions will be managed in accordance with section 134 of the *Public Service Act 2008*. This may result in termination of employment if the officer cannot establish they have reasonable grounds for the refusal of subsequent transfer directions.

Step 8 Review

When an employee has been registered as an ERP on the PSC central placement register for four (4) months, a review of the placement process will be undertaken between the department and the PSC.

The Executive Director, Human Resources, Corporate Services will advise the employee, in writing, of the upcoming review, four (4) weeks before the review period is due to expire. The employee is then invited to respond with additional information in relation to the efforts to secure permanent placement by the due date in the written advice. For the Department of Agriculture, Fisheries and Forestry and Department of Tourism, Major Events, Small Business and the Commonwealth Games, the Director-General will advise the employee in writing of the upcoming review.

The department, in conjunction with the PSC, may initiate a review at an earlier time if it considers reasonable placement efforts have been undertaken and/or a transfer opportunity is unlikely to occur as a result of the employee's specialist skill set or location.

Important note: The four (4) month review period is not suspended for any reason including absences, work trials and temporary placements.

The Case Manager will provide a final status report, including the employee's response to the PSC.

- If it is beneficial to continue to pursue placement opportunities, a further review date of no more than three (3) months from the date of completion of the review will be nominated, providing there are no exceptional circumstances.

If it is determined that reasonable placement efforts have been undertaken and it is decided it is not appropriate to continue these efforts, the retrenchment provisions of Directive 11/12 will apply.

At this time, the employee will be advised in writing of the intention for retrenchment and reasons for the decision. The employee will be provided with an opportunity to respond with reasons as to why they should not be retrenched before a final decision is made.

The employee will have ten (10) working days in which to provide a response in writing to Human Resources, Corporate Services. The response will then be considered by the delegate and, if the delegate accepts the reasons provided by the employee, written advice revoking the retrenchment decision will be provided to the employee and the placement process resumes.

If the delegate does not accept the reasons provided by the employee, written advice confirming the retrenchment decision and advising the separation date will be forwarded to the employee. Arrangements will also be made to provide the relevant documentation to QSS for processing.

Step 9 Suitability Assessment

A suitability assessment process must be undertaken for an employee who is referred for a vacancy and should take no more than seven (7) working days for completion.

The assessment of suitability requires the review of the resume, referee statement against the minimum requirements of the role. If there is insufficient information in the employee's resume, other selection tools may be used.

An employee is considered suitable for a role if they have the skills and experience to meet the minimum requirements of the role, given a reasonable period of training and on-the-job training.

A suitability assessment must be directed at determining whether an ERP has the minimum skills to undertake the requirements of the role to a satisfactory level, if provided with reasonable retraining, induction and reasonable adjustment (if necessary).

An assessment panel, of no less than two (2) members, one of which should be external to the work unit, will conduct the suitability assessment. The panels are responsible for ensuring that fair and transparent processes are undertaken to assess employees requiring placement and assist with the placement of tenured employees.

At the conclusion of the suitability assessment process the panel will submit the finalised suitability assessment report to the delegate for consideration.

The delegate will provide the report to Human Resources for review. At this time, Human Resources, Corporate Services may choose to refer the report back to the panel for further suitability assessment activities to be undertaken.

Following the review, if an employee is deemed suitable, arrangements will be made to affect their transfer in accordance with the provisions of the relevant directives.

If deemed unsuitable, employees will be notified of the outcome of the suitability assessment and reasons in writing.

For vacancies under the PSC Central Placement Process, Human Resources will provide the report to PSC for review.

Step 10 Work trials and temporary placement of ERP

Work trials (permanent positions only)

Where the suitability of an ERP for a permanent vacancy cannot be conclusively determined by undertaking a suitable assessment, a work trial may be negotiated for a maximum period of 3 months.

Unless otherwise agreed, the releasing business area to which the employee is substantively appointed is responsible for meeting salary and associated costs for the period of the work trial.

The work trial will be considered to be the suitability assessment process and must be documented accordingly.

A work trial should be structured to ensure that the applicant is properly managed. The manager to whom the applicant reports should provide the applicant with clear information about performance and conduct expectations and should also identify the development, support and feedback that the applicant requires to achieve the performance levels required. The manager/supervisor should meet with the applicant on a weekly basis and be provided with timely and balanced feedback to monitor progress and provide additional support as required.

The final assessment must take into consideration the ability of the employee to undertake the role long term with retraining, reasonable adjustment or other development assistance including additional experience in the role.

The final assessment of the work trial will be actioned in accordance with the suitability assessment process as outlined above.

Temporary placements

The department must consider ERP for both permanent and temporary vacancies (greater than 6 months) before proceeding to fill a vacancy by any other means.

If an ERP is placed in a temporary vacancy within the department or within another department, the employee retains permanent tenure as an officer within the releasing department.

If the temporary placement is in another department, the employee is on 'secondment' unless otherwise determined by the delegates.

The employee is to remain registered with the department as an ERP during both work trials and temporary placements, and may apply for other vacancies during any placement periods.

Important note: The four (4) month review period is not suspended for any reason including work trials and temporary placements.

Step 11 Salary maintenance for transfer and re-deployment

Transfer

An employee who is transferred at level to another business area or department is to be paid their salary and any applicable allowances by the receiving business area or department from the date of duty.

Employees transferred into a permanent role across streams of a classification system will be paid in accordance with the Directive relating to 'transfer within and between classification levels and systems'.

Re-deployment

An employee who is re-deployed is to be paid by the receiving business area or department at the highest pay-point of their new classification level plus any applicable allowances.

The employee is entitled, for a period of 12 months following redeployment, to be paid the salary and allowances applicable to the substantive role which they held prior to redeployment. The releasing business area or department is to fund the difference between salary and allowances to be paid by the receiving agency and the salary and allowances the employee would have been entitled to if they had remained in their substantive position. The employee will not receive any pay point increments during this period but will receive salary increases determined by the applicable industrial instrument in the receiving service area or department.

For tenured senior executives who have been redeployed, the arrangements outlined above are to include any additional remuneration packaging arrangements specified in a current directive relating the senior executive employment conditions or senior officer employment conditions, as applicable.

Where an employee is transferred or accepts redeployment to a role which is subject to different conditions established by award or certified agreement then the employee is to assume the conditions of the role, with the exception of the 12 month salary maintenance period detailed above.

Step 12 Salary arrangements for secondment and temporary engagements

Salary costs for an employee placed at level in a temporary vacancy in another service area or secondment to another department are to be met by the receiving service area or department.

Where an employee accepts a temporary placement in another service area or secondment to another department at a salary level lower than their substantive level, the income difference will be paid by the releasing department. This provision includes differences in salary due to conditions established by award and certified agreements.

Salary maintenance paid during temporary engagements and secondments will count towards the twelve (12) month salary maintenance period unless otherwise determined

5. Delegations

The requirements of this procedure overrule the Human Resource Delegations and should be read in conjunction with the Authorisations and Establishment Management Program requirements.

6. Responsibilities

Delegates ensure :

- management within business areas must engage with Human Resources, Corporate Services regarding strategies for workplace change, establishment and workforce management with respect to employees deemed as surplus
- they review and approve the redundant positions and employees deemed as surplus
- employees are only approved as an employee requiring placement status if they meet the definition described under this procedure and all alternative placement options, within their respective business area, have been considered
- Human Resources, Corporate Services have been advised on all matters of workplace change
- employees likely to be impacted by workplace change are advised in a timely, appropriate and consistent manner
- their responsibilities, and those of managers/supervisors, are adhered to in regard to ERP processes and ensure action is taken in a transparent, fair and equitable manner
- ERP details are provided to Human Resources, Corporate Services for recording on the departmental and Public Service Commission (PSC) ERP registers
- employees are considered for permanent vacancies and temporary vacancies (greater than six [6] months), in accordance with the departmental and PSC central process, before proceeding to fill any vacancies
- suitability assessment processes and placement recommendations are transparent prior to approval of appointments and clearly address whether an employee is considered to have the skills and abilities necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment, if required
- employees are provided with support, information and resources to ensure an understanding of what is required of them and from the department.
- the suitability assessment process is recorded fully and the principles of procedural fairness are applied.

Managers ensure:

- all vacancies are submitted through the Establishment Management Program (EMP) processes
Important note: Ranger vacancies within NPRSR are currently exempt from the EMP process.
- ERP processes are conducted in a transparent, fair and equitable manner, in particular when:
 - determining which employees are identified as surplus as a result of workplace change
 - assessing the suitability of employees impacted by workplace change
 - advising and managing the choices/decisions of employees
 - identifying alternative placement options
 - selecting employees for placement
 - recording the suitability process and decision and
 - applying the principles of procedural fairness
- regular contact is maintained with Human Resources for guidance/updates on workplace change and employee placement
- all employees undergo a suitability assessment process for vacancies in which they have expressed interest
- appropriate supervision of employees placed in their area of responsibility

- they work with employees and supervisors to support the implementation of placement strategies (and work trials if required)
- provision of training, local induction and on-the-job experience to ensure employees are able to successfully undertake the duties required
- suitable and meaningful duties relevant to the classification level for employees are provided whilst awaiting permanent placement.

Supervisors must:

- provide referee statements in accordance with the prescribed requirements of the PSC Directive 06/12 'Employees requiring placement' when requested to do so by the Case Manager
- identify and provide suitable and meaningful duties relevant to the classification level for employees whilst awaiting permanent placement
- provide employees with reasonable time to access advice and support services in order to provide the best possible outcome for employees and the department
- provide employees with reasonable time to prepare for assessment processes and apply for advertised vacancies at level and below their substantive level, if elected by the employee
- provide employees with the information required and the opportunities to be effectively assessed for vacant positions
- liaise with employees and the appointed Case Manager to provide the best possible outcome for employees and the department.
- the suitability assessment process is recorded fully and the principles of procedural fairness are applied.

Human Resources will:

- maintain a register of employees requiring placement and appropriate records to support decisions and actions under the directive
- provide advice and guidance to ensure fair and equitable processes are undertaken with respect to the workforce alignment strategies, alternative placement options, employee advice and decisions, selection of employees for alternative placement
- monitor employee progress and status to ensure compliance with process
- attend to internal and external reporting requirements to provide appropriate information about ERP processes
- provide employees with information about relevant positions available to be filled within the department
- provide advice to employees and management on placement processes, salary arrangements, and applicable transfer and relocation expenses (where appropriate)
- immediately appoint a Case Manager for each employee requiring placement
- review suitability assessment reports and, where required, return them to business areas to undertake further assessment activities
- undertake reviews of employees requiring placement with the PSC.
- Liaise with the unions as required.

Case Manager will:

- support the implementation of strategies and activities to achieve the earliest possible placement of the employee in a substantive role
- attend to all enquiries as the primary point of contact for any matters relating to the employee requiring placement including advising of suitable vacancies, assisting with process requirements and liaison with Human Resources and PSC as necessary
- contact the employee within 24 hours of their decision not to accept a voluntary redundancy from the formal offer and maintain regular contact (a minimum of once per week) until permanent placement occurs
- obtain the employee's resume, role category preferences, referee contact details and the referee statement as prescribed in this procedure
- provide a copy of the referee statement to the employee
- liaise with ERP departmental contact officer and the employee's substantive supervisor/manager to identify potential placements
- maintain effective records, ensure information is provided to update the relevant placement register and provide reports, upon request, on the status, progress and level of participation of the employee.

Employee Requiring Placement (ERP) will:

- work cooperatively with the department to implement new workforce arrangements
- participate actively in the placement process which includes:
 - completing the registration process as required
 - responding to correspondence within the specified timeframes
 - Indicating whether they wish to be considered for placement at level only and/or for placements at specified levels below their substantive level
 - maintain regular contact with their Case Manager and participate in placement processes
 - provide a current resume, name and contact information of two referees and nominating three role categories in which they have the most skills and experience
 - considering matched vacancies and ensuring they are available to meet with assessment panels
 - participating in appropriate job application and suitability assessment processes as requested
 - accepting reasonable placement and re-training opportunities
 - proactively apply for all suitable advertised vacancies at their substantive classification level, and keeping a record of applications.

Queensland Shared Services (QSS) will:

- provide voluntary redundancy and retrenchment calculations upon request from the Executive Director, Human Resources, Corporate Services
- process employee separations including payments for voluntary redundancies and retrenchments where applicable
- process transfer and re-deployment placements.

Public Service Commission (PSC) will:

- together with the department, conduct reviews of the progress of employees requiring placement
- facilitate the central ERP process for referred vacancies from all departments
- liaise with ERP departmental contact officers to provide details of vacancies from the central pool
- review suitability assessments for employees being considered for vacancies from the central pool and refer back to departments for further assessment as required.

7. Forms

ERP Online Registration Form

ERP Guide to Suitability Assessments

Referee Report

Resume Template

8. Employee complaints and appeals

An employee who is the subject of an administrative decision or action is entitled to lodge a complaint in accordance with the departmental Managing Employee Complaints Procedure should they feel that the administrative decision is unfair or biased.

If an employee considers that the issue is not resolved following the finalisation of the complaints process, they may be able to lodge an appeal with the Appeals Officer pursuant to the Public Service Commission Directive - Appeals. An employee considering an appeal should refer to this directive and may seek further information on appeal rights from the Public Service Commission or the website at www.psc.qld.gov.au.

9. Definitions and glossary of terms

Business Area Contact – the contact person detailed on the Establishment Management Program Approval Request Form/Business Case

Case Manager – a Human Resource representative assigned to actively assist the individual employee and line manager in the placement process to secure a permanent placement.

Delegate – Deputy Directors-General of respective business areas

Establishment Management Program (EMP) – the whole of government establishment management process introduced by the PSC and, implemented in the department, as a result of the 2012 machinery-of-government changes. The program incorporates a vacancy review process that is designed to ensure recruitment decisions regarding vacancies are aligned with Government priorities and filled so as there is no detriment to service delivery for clients.

Employee Requiring Placement (ERP) - an employee who has been unable to be substantively allocated to a role following workplace change (a surplus employee) and includes a person who is surplus as a result of being unattached from their role (relinquishment). It does not include persons who need or are seeking alternative placements as a result of decisions under sections 178 (mental or physical incapacity) or 188 (discipline action) of the *Public Service Act 2008* or following a transfer request.

ERP departmental contact officer – Corporate HR representatives nominated by each department to liaise with the PSC as the primary contact.

Permanent – The status of an employee that denotes tenure in accordance with the *Public Service Act 2008*.

Receiving Department – a department which has referred a vacancy and/or to which an ERP is placed on a permanent or temporary basis and may be the same as the releasing department.

Re-deploy – the transfer of an employee to a lower classification level, with their consent.

Referred Vacancy – a vacancy unable to be filled with a departmental ERP and has been referred to the PSC to identify suitable ERP from the central register.

Releasing Department – the department in which an ERP holds tenure.

Substantive position - the position to which an employee has been permanently appointed

Suitable/Suitability Assessment – An ERP is suitable for a role at the same classification level or a lower classification level if they demonstrate the minimum skills necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment if necessary.

Suitability Report – a statement outlining the assessment of the employee's suitability against key attributes for the role. Where an employee is assessed as unsuitable, the report must address why reasonable training, induction and on-the-job experience would not enable the employee to satisfactorily undertake the role.

Transfer – Means to move an employee to a permanent alternative role at level. (Conditions of such transfers and directions to transfer are provided in directive 'Transfers within and between classification levels and systems' and s133 of *Public Service Act 2008*)

Workplace Change – decisions that affect the services and programs delivered by the department, its workforce structures or establishment.

Work trial – The placement of a registered employee in a vacant permanent role for a maximum of three months (as per directive relating to 'employees requiring placement') for the purpose of determining their suitability.

10. Related documents

The following HR policy and procedure categories of the former departments continue to apply:

- Recruitment and Selection
- Transfer
- Establishment Management Program
- Employee Exit Arrangements (including Housing arrangements where relevant)

Related Legislation or Standard

Public Service Act 2008 http://www.legislation.qld.gov.au/Acts_SLs/Acts_SL_P.htm

Related Government Guidelines or Policy

Directive 1/10 - Recruitment and selection <http://www.psc.qld.gov.au/library/document/directive/2010/2010-1-recruitment-selection.pdf>

Directive 19/10 – Appeals <http://www.psc.qld.gov.au/library/document/directive/2010/2010-19-appeals.pdf>

Directive 11/12 – Early retirement, redundancy and retrenchment
<http://www.psc.qld.gov.au/library/document/directive/2012/2012-11-Early-Retirement-Redundancy-and-Retrenchment.pdf>

Directive 06/12 – Employees requiring placement <http://www.psc.qld.gov.au/library/document/directive/2012/2012-6-employees-requiring-placement.pdf>

Directive 11/11 – Transfer and appointment expenses <http://www.psc.qld.gov.au/library/document/directive/2011/2011-11-transfer-appointment-expenses.pdf>

Directive 7/10 – Transfer within and between classification levels and systems <http://www.psc.qld.gov.au/library/document/directive/2010/2010-7-transfer-within-and-between-classifications-directive.pdf>

Supporting Resources

ERP process flowchart

ERP Guide for Managers

ERP Guide to Suitability Assessments

PSC Fact Sheets

Voluntary Redundancy Estimate – Self Assessment Calculator <http://www.govnet.qld.gov.au/information/infores.htm>

Voluntary Redundancy Frequently Asked Questions

11. Further information

Should you require any further information or clarification, please contact Human Resources, Corporate Services as follows:

EHP and NPRSR employeeplacements@ehp.qld.gov.au

DNRM and DEWS ERP@dnrm.qld.gov.au

DAFF and DTESB ERP@daff.qld.gov.au

Additional support for individual employees and managers is available through the departmental Employee Assistance Program. The service provider details are as follows:

PPC Worldwide

Phone: 1800 604 640

www.ppconline.info/au

Employees may also contact their Case Manager and/or local HR Officer. Unions can also provide advice and support to their members.

12. Review

This procedure is to be reviewed in August 2013.

13. Approval

Business and Corporate Partnership Steering Committee

Signed: Deputy Director-General, Corporate Services Department of Environment and Heritage Protection and Department of National Parks, Recreation, Sport and Racing Date: 7 August 2012	Signed: Group Executive, Corporate Relations Department of Natural Resources and Mines and Department of Energy and Water Supply Date: 7 August 2012	Signed: Deputy Director-General, Corporate Services Department of Agriculture, Fisheries and Forestry and Department of Tourism, Major Events, Small Business and the Commonwealth Games Date: 7 August 2012
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14. Version history

Date	Version	Action	Description / comments
5 July 2012	1.0	Terrina Cini	New Policy
11 July 2012	1.0	Terrina Cini	Changes from WSC feedback

12 July 2012	1.0	Terrina Cini	Changes from WSC feedback
12 July 2012	1.0	Terrina Cini	Transfer to CS template
17 July 2012	1.0	Terrina Cini	Incorporate ED HR comments
18 July 2012	1.0	Terrina Cini	Minor changes from PSC feedback
31 July 2012	1.0	Terrina Cini	Changes required due to union feedback, changes to VR calculations process and new PSC templates
6 August 2012	1.0	Terrina Cini	Union feedback and cross cluster changes
7 August 2012	1.1	Terrina Cini	Published version following approval
22 August 2012	1.1	Jenny Spalding	Union feedback after cross cluster consultation process undertaken
17 September 2012	1.2	Jenny Spalding	Transfer to corporate partnership template

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